

THE POCKET BOOK OF TRUE CRIME STORIES

Edited by
ANTHONY BOUCHER

GOV. GIRLS COLLEGE
SRIN
A.C. NO
pb
BOOKS, INC.

Distributed by
POCKET BOOKS INC.
New York

ALL PRINTING HISTORY

The Pocket Book of True Crime Stories

Published June, 1943

1ST PRINTING APRIL, 1943

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ACC NO 1741

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THE POCKET BOOK OF
TRUE CRIME STORIES

PREFACE

THE study of murder has always been a pleasant pastime for scholars and dilettantes. Over a period of years, their tastes have undergone little change, though a modicum of refinement. They no longer demand that their heroes and heroines drown in a sea of blood—a puddle will do.

The murder gourmet has always found accounts of true crimes engrossing. That is because the flavor of the most brilliantly conceived fiction-slayings is usually pallid compared with the gory adventures of real people. For truth is not only stranger than fiction; it is stronger.

Consequently, the reader of this collection will not be disappointed. The writers are all expert crime reporters. The killers represent the cream—or the skimmed milk, if you prefer—of criminal society. You will meet a startling variety of slayers: colorful black sheep who violated the Sixth Commandment for love, money, jealousy, or revenge.

As one who came in contact with hundreds of murderers, I can say that those described in this anthology are of an extraordinary stripe. They are not run-of-the-mill slayers.

The average slayer is seldom a swashbuckling criminal. Proof lies in the fact that seven out of ten murders are committed by people with blameless pasts. They are neither ingenious nor diabolical. They are not human viciousness incarnate, but pathetic examples of *homo sapiens* on a rampage.

Mr. Average Murderer, moreover, is not as resourceful as

you might expect. He chooses weapons that are disappointingly commonplace. His sources of supply are the pawnshop, the family attic, and sometimes the local five-and-ten. He seldom lies awake nights contriving the proper time and place for his shocking deed. Very often, he liquidates his victim on the spur of the moment—and in front of witnesses!

Nevertheless, our preoccupation with what William Roughead prefers to call "private" manslaughter flourishes. Scores of writers have penned biographies of butchery, but I suspect that the chief interest in them is not in the methods and manners of murderers, but in their motives. In this respect, *The Pocket Book of True Crime Stories* is a commendable work, replete not only with the "what" and "how" of homicide, but the "why."

Real, and, sometimes, imagined wrongs goad citizens to murder. An unfaithful wife, a nagging mother-in-law, or a stingy father often become the targets for knives and guns. Uncurbed passion for power and wealth can turn a Caspar Milquetoast into a tiger. Liquor that flows too plentifully will sometimes spill blood.

Court dockets record still other motives. A gangster mows down a "competitor" to prove he's a big shot. A man strangles his mate because she used too much lip rouge. A distraught woman in a slum area asphyxiates her three children so that they will not have to bear the embarrassment of cheap clothing.

Perhaps it is the very commonplaceness of these motives that causes our pardonable, ghoulish interest in murder.

When the Hall-Mills slaying was headlining the press, a veteran journalist turned college professor shocked his freshman class with this statement: "Tonight, thousands of people will read about this tragedy and sweat will form upon

PREFACE

their brow. Any of them who has transgressed—or has ever thought of doing so—will picture himself as the dead minister or his sweetheart and say: ‘But for the grace of God, there go I.’ ”

On the other hand, murder fans may enjoy the sensation of fear and horror. Some writers undoubtedly realize this, and like the Fat Boy in *Pickwick*, they set out “to make your flesh creep.” I do not know what psychologists have to say about this phenomenon. Perhaps chills playing up and down one’s spine create a pleasant feeling.

A friend of mine, however, insists that true murder connoisseurs are amateur criminologists. They are perennially examining the mechanisms that make assassins tick. Long hours of heated debate rise out of their inquiries and the involvements therefrom are occasionally scholarly, but most often, merely long-winded.

Whatever the reason for their absorption in murder, the fireside fraternity of crime-book readers is constantly growing. I understand their penchant for the gory and the grotesque. For this reason, I am happy to usher them into this treasure-house of fascinating stories.

LEWIS E. LAWES

THE BEGINNING

THE MURDER OF ABEL BY CAIN THE MURDER OF X BY LAMECH

Genesis: iv, 1-25

AND Adam knew Eve his wife; and she conceived, and bare Cain, and said, "I have gotten a man from the Lord." And she again bare his brother Abel. And Abel was a keeper of sheep, but Cain was a tiller of the ground.

And in process of time it came to pass, that Cain brought of the fruit of the ground an offering unto the Lord. And Abel, he also brought of the firstlings of his flock and of the fat thereof. And the Lord had respect unto Abel and to his offering: but unto Cain and to his offering he had not respect. And Cain was very wroth, and his countenance fell.

And the Lord said unto Cain, "Why art thou wroth? and why is thy countenance fallen? If thou doest well, shalt not thou be accepted? and if thou doest not well, sin lieth at the door. And unto thee shall be his desire, and thou shalt rule over him."

And Cain talked with Abel his brother: and it came to pass, when they were in the field, that Cain rose up against Abel his brother, and slew him.

And the Lord said unto Cain, "Where *is* Abel thy brother?"

And he said, "I know not: Am I my brother's keeper?"

And he said, "What hast thou done? the voice of thy brother's blood crieth unto me from the ground. And now art thou cursed from the earth, which hath opened her mouth to receive thy brother's blood from thy hand; When thou tillest the ground, it shall not henceforth yield unto thee her strength; a fugitive and a vagabond shalt thou be in the earth."

And Cain said unto the Lord, "My punishment is greater than I can bear. Behold, thou hast driven me out this day from the face of the earth; and from thy face shall I be hid; and I shall be a fugitive and a vagabond in the earth; and it shall come to pass, that everyone that findeth me shall slay me."

And the Lord said unto him, "Therefore whosoever slayeth Cain, vengeance shall be taken on him sevenfold."

And the Lord set a mark upon Cain, lest any finding him should kill him.

And Cain went out from the presence of the Lord, and dwelt in the land of Nod, on the east of Eden. And Cain knew his wife; and she conceived and bare Enoch; and he builded a city; and called the name of the city, after the name of his son, Enoch. And unto Enoch was born Irad: and Irad begat Mehujael: and Mehujael begat Methusael: and Methusael begat Lamech.

And Lamech took unto him two wives: the name of the one was Adah, and the name of the other was Zillah. And Adah bare Jabal: he was the father of such as dwell in tents, and of such as have cattle. And his brother's name was Jubal: he was the father of all such as handle the harp and organ. And Zillah, she also bare Tubal-cain, an instructor of every artificer in brass and iron: and the sister of Tubal-cain was Naamah.

And Lamech said unto his wives, Adah and Zillah, "Hear my voice; ye wives of Lamech, hearken unto my speech: for I have slain a man to my wounding, and a young man to my hurt.

"If Cain shall be avenged sevenfold, truly Lamech seventy and sevenfold."

* * * * *

Chroniclers of crime have often cited the deed of Cain as the first murder; but the curious case of Lamech, the first mysterious murder, has received only the attention of biblical scholars. It is a pleasing mystery. We have a murderer and a confession; but the circumstances of the killing and the identity of the victim are one with what song the Sirens sang or what name Achilles assumed when he hid himself among women.

According to Hebrew legend, Lamech, misguided by Tubal-cain, killed his great-great-great-grandfather Cain in a hunting accident, whereupon in his wrath he beat his son Tubal-cain to death.

Biblical students reject this version. "The general opinion of modern scholars," according to the Jewish Encyclopedia, "is that this utterance is a glorification by Lamech of the weapons forged by his son Tubal-cain, while Wellhausen holds that it is simply a boastful outburst of the kind common in Arabic literature." The Britannica suggests that it is "a jubilation over the practice of blood-revenge."

The delicate ear of the scholar seems to detect in Lamech's confession a blithe note of cheeriness to which the layman is deaf. The connoisseur of murder, however will doubtless prefer to disregard both legend and scholarship, and let the victim (or victims) of Lamech join other fascinating phantoms of criminal annals.—A. B.

1675: *THE MANY MURDERS OF MME. DES HAYES
VOISIN*

LA VOISIN

by Bram Stoker

IN Paris a woman named Des Hayes Voisin, a widow who had taken up the business of a midwife, towards the end of the seventeenth century made herself notorious by the telling of fortunes. Such at least was the manifest occupation of the worthy lady, and as she did not flaunt herself unduly, her existence was rather a retired one. Few who did not seek her services knew of her existence, fewer still of her residence. The life of a professor of such mysteries as the doings of Fate—so-called—is prolonged and sweetened by seclusion. But there is always an “underground” way of obtaining information for such as really desire it; and Madame Voisin, for all her evasive retirement, was always to be found when wanted—which means when she herself wanted to be found. She was certainly a marvellous prophet, within a certain range of that occult art. Like all clever people she fixed limitations for herself; which was wise of her, for to prophesy on behalf of every one who may yearn for a raising of the curtain, be it of never so small a corner, on all possible subjects, is to usurp the general functions of the Almighty. Wisely therefore, Madame Voisin became a specialist. Her subject was husbands; her chief theme their longevity. Naturally such women as were un-

satisfied with the personality, circumstances, or fortunes of their partners, joined the mass of her clientele, a mass which taking it "by and large" maintained a strange exactness of dimensions. This did not much trouble the public, or even the body of her clients, for no one except Madame herself knew their numbers. It was certainly a strange thing how accurately Madame guessed, for she had seemingly no data to go on—the longevity of the husbands were never taken into the confidence of the prophet. She took care to keep almost to herself the rare good fortune, in a sense, which attended her divination; for ever since the misfortune which had attended the late Marquise de Brinvilliers became public, the powers of the law had taken a quite unnecessary interest in the proceedings of all of her cult. Longevity is quite a one-sided arrangement of nature; we can only be sure of its accuracy when it is too late to help in its accomplishment. In such a game there is only one throw of the dice, so that it behooves anyone who would wager successfully to be very sure that the chances are in his—or her—favor.

Madame Voisin's clients were generally in a hurry, and so were willing to take any little trouble or responsibility necessary to ensure success. They had two qualities which endear customers to those of La Voisin's trade; they were grateful and they were silent. That they were of cheery and hopeful spirit was shown by the fact that as a rule they married again soon after the dark cloud of bereavement had fallen on them. When the funeral baked meats have coldly furnished forth the marriage tables, it is better to remain as inconspicuous as possible; friends and onlookers will take notice, and, when they notice, they will talk. Moreover the new partner is often suspicious and apt to be a little jealous of his predecessor in title. Thus, Madame Voisin being

clever and discreet, and her clients being—or at any rate appearing to be—happy in their new relations and silent to the world at large, all went prosperously with the kindly-hearted prophet. No trouble rose as to testamentary dispositions. Men who are the subjects of prophecy have usually excellently drawn wills. This is especially the case with husbands who are no longer young. Young husbands are as a rule not made the subjects of prophecy.

Madame Voisin's great accuracy of prediction did not excite at the time so much public admiration as it might have done if she or her clients had taken the public more into their confidence; but it was noted afterwards that in most cases the male individual who retired early from the scene was the senior partner in that congeries of three which has come to be known as "the eternal triangle." In later conversations, following the wake of the completed prophecy, confidences were exchanged as to the studies in certain matters of science in which Madame Voisin seemed to have attained a rare proficiency.

The late Mr. Charles Peace, an adventurous if acquisitive spirit, who gave up his life in the same manner as the deceased Mr. Haman, worked alone during the long period of his professional existence, and with misleading safety. The illustrious French lady-prophet unwisely did not value this form of security, and so multiplied opportunities of failure. She followed an entirely opposite policy, one which though it doubtless stood by her on many occasions had a fatal weakness. In some ways it may facilitate matters if one is one's own Providence; such a course avoids temporarily errors of miscalculation or deduction of probable results. And just as the roulette table has certain chances in favor of Zero, there is for the practical prophet a large hazard in that the dead are unable to speak or to renew effort on a more

favorable basis. La Voisin, probably through some unfavorable or threatening experiences, saw the wisdom of associating the forces of prediction and accomplishment, and with the readiness of an active personality effected the junction. For this she was already fairly well equipped with experiences. Both as a wife and a lover of warm and voluptuous nature she understood something of the passions of humanity, on both the female and the male side; and being a woman she knew perhaps better of the two the potency of feminine longing. This did not act so strongly in the lesser and more directly commercial, if less uncertain, phases of her art, such as finding lost property, divining the results of hazards, effecting immunity from danger, or preserving indefinitely the more pleasing qualities of youth. But in sterner matters, when the issue was of life or death, the masculine tendency towards recklessness kicked the beam. As a nurse in active touch with both medical and surgical wants, aims, and achievements, she was at ease in the larger risks of daily life. And after all, her own ambitions, aided by the compelling of her own natural demands for physical luxury, were quite independent, only seeking through exiguous means a way of achievement. In secret she studied the mystery of a toxicologist; and, probably by cautious experiment, satisfied herself of her proficiency in that little-known science. That she had other aims, more or less dependent on this or the feelings which its knowledge superinduced, can be satisfactorily guessed from some of her attendant labors which declared themselves later.

After a time La Voisin's vogue as a sorceress brought her into certain high society where freedom of action was unhampered by moral restraints. The very rich, the leaders of society and fashion of the time, the unscrupulous whose ambitious efforts had been crowned with success of a kind,

leaders of Court life, those in high military command, mistresses of royalty and high aristocracy—all became companions and clients in one or more of her mysterious arts. Amongst them were the Duchesse de Bouillon, the Comtesse de Soissons, Madame de Montespan, Olympe de Mancini, Marshal de Luxembourg, the Duc de Vendôme, Prince de Clermont-Lodève. It was not altogether fashionable not to be in touch with Madame Voisin. Undeterred by the lessons of history, La Voisin went on her way, forced as is usual in such cases by the circumstances which grow around the criminal and prove infinitely the stronger. She was at the height of her success when the public suspicion, followed by action, revealed the terrible crimes of the Marquise de Brinvilliers; and she was caught in the tail of the tempest thus created.

This case of Madame de Brinvilliers is a typical one of how a human being, goaded by passion and lured by opportunity, may fall swiftly from any estate. It is so closely in touch with that of Madame Voisin that the two have almost to be considered together. They began with the desire for dabbling in foreign mysteries. Three men—two Italians and one German, all men of some ability—were violent searchers for the mythical “philosopher’s stone” which was to fulfill the dream of the mediaeval alchemist by turning at will all things into gold. In the search they all gravitated to Paris. There the usual thing happened. Money ran short and foolish hoping had to be supplemented by crime. In the whirling world of the time there was always a ready sale for means to an end, however nefarious either might be. The easy morality of the time allowed opportunity for all means, with the result that there was an almost open dealing in poisons. The soubriquet which stole into existence—it dared not proclaim itself—is a self-

explanatory historical lesson. The *poudre de succession*¹ marks an epoch which, for sheer, regardless, remorseless, profligate wickedness is almost without peer in history, and this is said without forgetting the time of the Borgias. Not even natural affection or family life or individual relationship or friendliness was afforded any consideration. This phase of crime, which was one almost confined to the upper and wealthier classes, depended on wealth and laws of heredity and entail. Those who benefited by it salved what remnants of conscience still remained to them with the thought that they were but helping the natural process of waste and recuperation. The old and feeble were removed, with as little coil as might be necessary, in order that the young and lusty might benefit. As the change was a form of plunder, which had to be paid for in a degree in some way approximate to results, prices ran high. Poisoning on a successful scale requires skilful and daring agents, whose after secrecy as well as whose present aid has to be secured. Exili and Glasser—one of the Italians and the German—did a thriving trade. As usual in such illicit traffic, the possibility of purchase under effective conditions made a market. There is every reason to believe from after results that La Voisin was one such agent. The cause of La Brinvilliers entering the market was the purely personal one of an affair of sensual passion. Death is an informative circumstance. Suspicion began to leak out that the polyglot firm of needy foreigners had dark dealings. Two of them—the Italians—were arrested and sent to the Bastille, where one of them died. By unhappy chance the other was given as a cell-companion Captain Sainte-Croix, who was a lover of

¹ *poudre*, here, means "poison"; and the whole phrase can be read colloquially,—“the too general use of poison as a safe means of getting superfluous people permanently out of the way.”

the Marquise de Brinvilliers. Sainte-Croix as a Captain in the regiment of the Marquis had become intimate in his house. Brinvilliers was a fatuous person and of imperfect moral vision. The Captain was handsome, and Madame la Marquise amorous. Behold then the usual personnel of a tragedy of three. After a while the intrigue became a matter of family concern. The lady's father,—the Civil Lieutenant d'Aulroy, procured a *lettre de cachet* [Royal warrant], and had the erring lover immured in the Bastille as the easiest and least public way out of the difficulty. "Evil communications corrupt good manners," says the proverb. The proverbial philosopher understated the danger of such juxtaposition. Evil manners add corruption even to their kind. In the Bastille the exasperated lover listened to the wiles of Exili; and another stage of misdoing began. The Marquise determined on revenge, and be sure that in such a case and in such a period even the massive walls of the Bastille could not prevent the secret whisper of a means of effecting it. D'Aulroy, his two sons, and another sister perished. Brinvilliers himself was spared through some bizarre freak of his wife's conscience. Then the secret began to be whispered—first, it was said, through the confessional; and the *Chambre Ardente*, analogous to the British Star Chamber, instituted for such purposes, took the case in hand. The result might have been doubtful, for great social forces were at work to hush up such a scandal, but that, with a truly seventeenth century candor, the prisoner had written an elaborate confession of her guilt, which if it did not directly assure condemnation at least put justice on the right track.

The trial was a celebrated one, and involved incidentally many illustrious persons as well as others of lesser note. In the end, in 1676, Madame la Marquise de Brinvilliers was burned—that is, what was left of her was burned after her

head had been cut off, a matter of grace in consideration of her rank. It is soothing to the feelings of many relatives and friends—not to mention those of the principal—in such a case when “great command o’ersways the order” of purgation by fire.

Before the eddy of the Brinvilliers’ criminal scandal reached to the lower level of Madame Voisin, a good many scandals were aired; though again “great command” seems to have been operative, so far as human power availed, in minimizing both scandals and punishments. Amongst those cited to the *Chambre Ardente* were two nieces of Cardinal Mazarin, the Duchesse de Bouillon, the Comtesse de Soissons, and Marshal de Luxembourg. In some of these cases that which in theatrical parlance is called “comic relief” was not wanting. It was a witty if impertinent answer of the Duchesse de Bouillon, to one of her judges, La Reyne, an ill-favoured man, who asked, apropos of a statement made at the trial that she had taken part in an alleged invocation of Beelzebub, “and did you ever see the Devil?”—“Yes, I am looking at him now. He is ugly, and is disguised as a Councillor of State!”

The King, Louis XIV, took much interest in the trial and even tried now and again to smooth matters. He even went so far as to advise the Comtesse de Soissons who was treated rather as a foolish than as a guilty woman, to keep out of the way if she were really guilty. In answer she said with the haughtiness of her time that though she was innocent she did not care to appear in a Law Court. She withdrew to Brussels where she died some twenty years later. Marshal de Luxembourg—François Henri de Montmorenci-Boutteville, duke, peer, Marshal of France to give his full titles—was shown to have engaged in an attempt to recover lost property by occult means. On which basis and

for once having asked Madame Voisin to produce his Satanic Majesty, he was alleged to have sold himself to the Devil. But his occult adventures did not stand in the way of his promotion as a soldier though he had to stand a trial of over a year long; he was made Captain of the Guard and finally given command of the Army.

La Voisin with her accomplices—a woman named Vigoureux and Le Sage, a priest,—were with a couple of score of others arrested in 1679, and were, after a spell of imprisonment in the Bastille, tried. As a result Voisin, Vigoureux and her brother, and Le Sage were burned early in 1680. In Voisin's case the mercy of previous decapitation, which had been accorded to her guilty sister Brinvilliers, was not extended to her. Perhaps this was partly because of the attitude which she had taken up with regard to religious matters. Amongst other unforgivable acts she had repelled the Crucifix—a terrible thing to do according to the ideas of that superstitious age.

* * * * *

Historical novels of the period inevitably involve some reference to the cases which were tried before the Chambre Ardente. For an extraordinary treatment of Mme. la Marquise de Brinvilliers and Captain Sainte-Croix in a contemporary American setting, the reader is referred to John Dickson Carr's The Burning Court (New York, Harper, 1937).—A. B.

1678: THE MURDER OF SIR EDMONDBURY
GODFREY BY X

WHO KILLED SIR EDMONDBURY
GODFREY?

by Raymond Postgate

HERE is a mystery—perhaps the most famous and disputed mystery in English history. It has been the subject of quite recent and acrimonious dispute. In Mr. Pollock's *Popish Plot* and Mr. Marks' *Who Killed Sir E. B. Godfrey?* and the ensuing controversies, is more than an echo of the savage struggles between those who once were "great against Popery" and those who defended Holy Mother Church. This study cannot solve it; it will merely state the problem. It will not be an idle task, for from Godfrey's death arose a long history of hatred and crime which rent the British Isles for centuries and is not yet ended. If Godfrey had not been killed, Titus Oates' "plot" would probably have fallen flat. No judicial murders of Catholics would have followed, no revenge and oppression under James II, possibly no Whig revolution of 1688, no battle of the Boyne and all that that means.

It was in the year 1678. Louis XIV, in this year of the treaty of Nimeguen, was supreme in Europe, and behind French influence could be seen Papal influence. England seemed more and more a satellite of France. The King, Charles II, was believed and is known now, truly believed

to have a secret understanding with Versailles. In wide circles opposed to the Court it was suspected that Charles was undermining both the Church of England and the rights of Parliament, and that French and Papal money and organization were the explanation of the extraordinary foreign policy pursued by this Protestant king.

The English aristocracy, in fact, had landed itself in the tangle reserved for those who attempt to say to a revolution or counter-revolution, "So far, and no farther." The first enthusiasm of the Cavalier restoration had passed away and doubt had taken its place. They had been delighted to chase out of office the Commonwealth men, fling the Independent and Presbyterian Divines into the street, and smash the Scottish Covenanters. They enthusiastically restored Bishops and Lords. But now the current of reaction would not be stayed where they had chosen. Behind the Bishops of the Church of England loomed the Cardinals of the Church of Rome; from the restored power of the House of Lords it was but one step to the restored power of the Crown of the Tudors. Charles II was too crafty to give an opportunity for action, and they could not be sure on which side he really was. This at least they knew: that the heir to the throne, the Duke of York (afterwards James II), was a Catholic avowedly, and they were uneasy.

Into this atmosphere was sprung the sensational news of the Popish Plot. Dr. Tongue, an unbalanced Protestant divine, and Dr. Titus Oates, who had been at the Jesuit Colleges of Valladolid and St. Omer, produced a connected revelation of a vast Jesuit plot. A "consult," or secret meeting of Jesuits, said Oates, had been held on April 24th, at the White Horse Tavern in the Strand. He himself, as one of them, had been present, though now he had repented. At that meeting the details of the plot had been settled. The

murder of the King, so that the Duke of York could take the throne, armed insurrection, an invasion by the French, and the re-establishment of the Roman Catholic Church were decided upon. Oates named five distinguished Catholic peers as participating, and enumerated the chief Jesuits then in England as organizing it, including Lefevre, the Queen's Confessor, and Edward Coleman, previously secretary to the Duchess of York.

Through the intermediary of one Kirby, Oates was able to present a copy of his "Narrative" to the King on August 13th. The King received the story very coolly and referred him to Lord Treasurer Danby. Danby, after consideration, considered the matter worthy of further investigation, it is true: but on the whole Oates and Tongue had failed to produce in official circles the sensation that they had expected. They looked round for further methods of publicity, and decided that the best would be to swear their informations before a friendly magistrate. Thus, while Oates' examination by the Privy Council continued, his more alarming stories would be sent flying round London.

They selected for their purpose Sir Edmondbury Godfrey,¹ J.P. Sir Edmondbury was a coal and timber merchant of fairly comfortable means, whose yard and residence lay in Hartshorn Lane, off the Strand (now approximately Northumberland Street). His tall, slender, dark figure commanded universal respect. He was one of the few magistrates who had not fled from his post during the Plague, but had remained and braved infection in keeping order. For this he had received a knighthood. His zeal and independence had more recently been given an advertisement which recommended him to Tongue and Oates. In May,

¹ He was christened Edmond Berry, but the two names were quickly telescoped and he was universally known, and his name spelt as above.

1669, wrote Pepys, in his diary, "one Sir Edmondbury Godfrey, a woodmonger and a justice of the peace, in Westminster, having two days since arrested Sir Alexander Frazier [physician to the King] for about £30 in firing, the bailiffs were apprehended, committed to the porter's lodge, and there, by the King's command, the last night severely whipped; from which the Justice himself very hardly escaped, to such an unusual degree was the King moved therein. But he [Godfrey] lies now in the lodge." Godfrey, indeed, only got out by a hunger-strike, and was endeared by his action to all opponents of Popery and arbitrary power.

Tongue and Oates, therefore, presented themselves before him, and swore their informations, telling him that they had already placed the matter before the King and the Privy Council. On September 6th Oates swore a brief general information: on the 28th he swore a lengthy disposition, setting out the whole story in full. This at last had the desired effect: by October 1st, records Evelyn, the town was thrown into wild alarm.

The Privy Council also on September 29th sent out to have Edward Coleman, the priest denounced by Oates, arrested. He was not at home, but his house was searched and hidden in the chimney was found a box of correspondence. These turned out, when examined, to consist of letters between Coleman and Father Lachaise—Louis XIV's confessor—and Cardinal Albani, Papal Internuncio. They were of a highly compromising character, but none were later than 1676. Presumably Coleman had been warned and destroyed the others, overlooking this box by error. The letters made it perfectly clear that Coleman had been acting for a long time as an agent in the distribution of French money for the purpose of securing the overthrow of the

Church of England and the return of the Church of Rome. "We have here a mighty work upon our hands," he had imprudently written, "no less than the conversion of three kingdoms, and by that perhaps the utter subduing of a pestilent heresy, which has domineered over great part of this Northern world a long time; there were never such hopes of success since the death of our Queen Mary, as now in our days." The reading of these letters had disastrous effects for the Catholics: it seemed wholly to confirm Oates' story, and cool and well-informed persons who had treated him with scepticism began to believe his most elaborate tales.

However this might be in informed circles, those ignorant of the proceedings of the Privy Council were deprived of this impression, and in the absence of any sensational event, excitement had died down. The plot "was cold in the mouth" said a hostile observer, when a startling event made all doubts impossible.

On the morning of Saturday, October 12th, Sir Edmond-bury Godfrey left his house at a time which could not afterwards be exactly determined. His clerk, Henry Moor, thought that he seemed reluctant to go: "he went out of the room" he testified, "and was going abroad" (out, that is), "and at the gate, going out of the yard into the lane, he suddenly stopped and turned himself towards this deponent and looked seriously upon him, and in that posture he stood a small time, but turned about and went his way, not speaking to this deponent, and after that time this deponent never saw him alive."

Sir Edmondbury, indeed, never returned to Hartshorn Lane. He failed, against his custom, to keep a dinner appointment, and when he did not appear that night or Sunday his brothers were alarmed beyond measure. The rumour

spread that the Papists had killed him for his zeal in assisting Oates' disclosures. Suspicion was turned to certainty by the news on Thursday that he had been found dead in a ditch on Primrose Hill, run through with his own sword.

The report had been brought to the White Horse Tavern—now Chalk Farm Tavern—which was of course then in the country. A party set out headed by a Constable named Brown, and the body was found lying face downwards in the ditch. It was covered with brambles, and the sword which transfixed it was protruding out at the back. Brown was able from his personal knowledge to recognize Sir Edmondbury Godfrey.

At the inquest, which was held next day, the jury was very properly anxious to be assured that it was not a case of suicide. They must have been more than satisfied by the medical evidence, for it was made quite clear that Godfrey did not die by the sword. His chest was a mass of bruises, horribly discoloured: his neck was broken and there were marks showing clearly that he had been strangled with a cloth. The sword thrust had been made after death, for no blood had flowed from it, nor from another wound which was discovered, reaching as deep as one of the ribs. A small quantity of blood and of *serum* had escaped when the sword was withdrawn and again when the body was jarred by the men carrying it to the tavern. That was all.

It was also clear that he had been dead some time. The body was rigid, and signs of decomposition were showing themselves. It should be added here that later evidence of passers-by made it quite clear that the body could not have lain on Primrose Hill more than twenty-four hours. Therefore Godfrey was dead when his body was brought there.

The jury returned a verdict to the effect that Godfrey had been strangled by persons unknown.

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No more hesitation was possible. Oates' revelations were accepted in their entirety even in official circles. Oates himself was granted a pension and a military guard. A reward of £500—a great sum in those days—was offered for information concerning the murder of Sir Edmondbury, and this reward, with a pardon, was to be handed even to any of the murderers who would confess.

Such an offer had its effect at once, in bringing on the scene William Bedloe, a man who was to rival Oates in villainy. This person, who described himself as captain, went down to Bristol and from there wrote to Mr. Secretary Coventry, stating that he had been concerned in the murder and was prepared to make revelations. He was brought up to London and examined by the Privy Council. He denounced three Jesuits connected with the Queen's Chapel in Somerset House (the Queen was a Catholic, Katharine of Portugal), Lefevre, Pritchard, and Walsh, as having attempted to induce him to put away some one who was "a great obstacle." He had failed to keep his appointment, he said, but nevertheless had been shown the dead body of Sir Edmondbury in Somerset House. In an eating house, to which he had been taken by the constables in charge, Bedloe further recognized a man named Miles Prance, a silversmith, whom he denounced as having been present "about the body of Sir Edmondbury Godfrey, but he was then in a periwig." Prance, who had been detained for Popish language on the information of a lodger who had a grievance against him, was put in Newgate and severely ill-treated. In two days he made up his mind to confess.

The story that he told will be given in detail later. It was briefly to the effect that a priest named Gerald, attached to the Venetian Embassy, had induced him to take part in Godfrey's murder. Godfrey was enticed into Somerset

House, he said, by Hill, a servant of Dr. Gauden, Chapel Treasurer, who told him a story of a fight that needed stopping. He was murdered in the yard by Green, cushion-layer in the Chapel, with the assistance of Hill, and Berry the porter. The body was taken to a small room used by Hill, two days later to another room, "towards the garden", and on Wednesday in a sedan-chair to Soho Church, and from there Hill, Green and Gerald took the body astride a horse to Primrose Hill.

Lords Monmouth and Ossory, to test his story, went with Prance to Somerset House. He pointed out at once the bench on which Sir Edmondbury had been killed, and the small room to which the body was taken. He was not able to point out the room "towards the garden", because, as he explained, it had been dark when the body was moved. His attitude and behaviour impressed the two peers, who felt that his story was true. He repeated his story when confronted with Green, Berry and Hill—Gerald could not be found—and despite their denials they were sent to Newgate.

So far, all was plain sailing. But on December 29th Prance secured an audience with the King, and to him and to the Committee of the Lords he recanted and announced that his confession was false. Instantly he was sent back to Newgate. Under the pressure applied to him there, he recanted his recantation and adhered to his original story.

It was not surprising that he was held to it. For by now Oates' plot had become a political weapon of the greatest value. Lord Shaftesbury, the reckless and unscrupulous leader of the Whigs, as they were called two years later, saw that he could checkmate all Charles' plans, end his subservience to France and his plans of personal power, at the same time as the Roman Catholics were crushed by a fierce anti-Papal terror. "Let the Lord Treasurer cry as loud as he

will against Popery," he said, "I will cry a note louder." The judges inclined themselves before the popular rage. A sign of what was in store was given by the first of the Plot trials on November 20th, when William Stayley, a Catholic goldsmith, was sentenced to death and forthwith executed, on an ill-proved charge of having used seditious language.

Edward Coleman's case came up on the 27th, and Protestant alarms were notably endorsed by the reading of his disastrous correspondence. The verdict of "guilty" was inevitable, and in this case, perhaps this case alone, it was justified. But the summing up of the judge, which was a tirade against Popery, was ominous: and the license permitted to Oates was almost scandalous. Few judges in normal times would have allowed such a remark as this:

MR. OATES. I could give other evidence, but will not, because of other things which are not fit to be known yet.

On December 17th, men named Whitebread, Ireland, Fenwick, Pickering and Grove, all Catholics, were brought to trial on Oates' information on a charge of conspiring to murder the King. They attempted to shake his evidence by proving that he was at St. Omer at the time when he pretended to have been present at the "consult." The Court forbade the hearing of such evidence on the ground that it was taken out of England.

There were no acquittals—except one on a technical point, of Whitebread, who was sent back to prison for a new case to be worked up—and when the three unfortunate men, Robert Green, Henry Berry, and Laurence Hill, were brought to trial on a charge of murdering Godfrey on February 10th, 1679, the outlook was dark enough for them. The presiding judge was Lord Chief Justice Scroggs, assisted by other zealous Protestant judges. The fame of Sir William Scroggs has been obscured by the greater claims of Jeffreys,

who was present at this trial as Recorder of London, but in his day he bid fair to become the most brutal judge who ever occupied the Lord Chief Justiceship. He was cruel and overbearing, oppressive to the prisoner and bullying to his witnesses, and at this time his meagre intelligence was inflamed by religious hatred, and by a belief, constantly expressed in court, that no Papist could be believed on oath or otherwise. The iniquitous Tudor treason law, moreover, deprived the defendants of counsel, and they were forced to depend upon the judge for protection, which he naturally never afforded. When, as in this case, the prisoners were poor men, of little education, their condition was desperate.

After the Attorney-General, at the head of a formidable array of Counsel for the Crown, had opened the case with the usual appeals to religious prejudice, the first evidence was the inevitable Oates, once down at heel and miserable, but now well-fed and insolent. He only deposed, however, to the informations that he had sworn to Godfrey, and also swore that Godfrey "was in a great fright, and told me he went in fear of his life by the Popish Party." Godfrey, he said, refused to go about attended by a man, as was usual. These two last points were confirmed by Thomas Robinson, a friend of Godfrey's. And then Prance, the backbone of the prosecution's case, was called.

He stated that Godfrey had been followed on the Saturday morning by three Catholics, Father Gerald, Father Kelly, and Green, into Red Lion Fields and "those by Holborn." Earlier in the day, he had been told, Hill or Green had called for Godfrey at his house, but he was not up. About seven o'clock Prance was warned that Godfrey was in St. Clement Danes in the Strand, having been previously in a house nearby, and he came down quickly to Somerset

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House. Hill stood at the gate waiting for Sir Edmondbury, and as soon as he came past, stopped him, saying there were two men fighting inside. Godfrey, who was reluctant, was ultimately persuaded to come down towards the Water Gate to use his authority as a J.P. to stop them. As soon as he reached the rails Green flung his handkerchief round his neck, tripped him, knelt on him and strangled him. He bruised him severely on the chest. In about a quarter of an hour Prance came down from the gate where he was keeping watch, and by touching Godfrey's legs found he was not dead: Green then twisted Godfrey's head round, breaking his neck. Father Gerald, Green, Hill, Prance, Father Kelly, and Berry the porter carried the corpse into a room of Hill's. On Monday night it was removed into another room in Somerset House, where Prance saw it by the light of a lantern; on Tuesday it was taken back to Hill's room, but as that was occupied, to a room near. (The defence was not competent to probe exactly this curious story of shunting a body continually to and fro in the centre of London, in the Queen's palace. It was necessary to square with Bedloe's story, that the body should lie on Monday night in a room in Somerset House, not in the servants' quarters.) On Wednesday the body was moved down to its original room and at midnight placed in a sedan-chair. Berry opened the gate: Green, Father Kelly, Father Gerald and Prance carried the sedan-chair to Soho Church, where Hill met them with a horse. Godfrey's body was forced astride the horse, Hill holding it up, and Green, Hill, Gerald and Kelly went off to Primrose Hill, where they told Prance they deposited the body.

Prance went on to speak of a meeting for merrymaking at the Queen's Head, Bow, held by several priests for the

purpose of rejoicing over Godfrey's murder. But as none of the defendants were alleged to be present, the incident seems merely to have been dragged in to excite prejudice.

When Prance had completed this story, Hill, who alone of the prisoners had sufficient education to attempt to save his life, tried to have his evidence ruled out on the ground that his previous recantation showed him to be perjured. But Scroggs was not Chief Justice for nothing: "Yes", he replied eagerly, "he had accused you on oath and afterwards, you say, he confessed that it was not true. But that confession that it was not true was not upon oath; how then is he guilty of perjury?" Mr. Justice Dolben, on the bench, advised the prisoners, "Try if you can trap him in any question"—good but vain advice to the wretched men, who had not till this minute been allowed to know the evidence against them. Capt. Richardson, keeper of Newgate, then described the scene of Prance's recantation and said that Prance told him he only recanted for fear of the Roman Catholics.

Bedloe was then sworn. His story was to the effect that he was approached by the Jesuits, including Lefevre and Pritchard, who arranged with him to assist in murdering somebody on that Saturday that Godfrey disappeared. He failed to keep the appointment, but Lefevre nevertheless came to see him again and invited him to come to Somerset House the Monday night. There Lefevre showed him Sir Edmond-bury's body, in the room described by Prance, and he agreed to help carry it away. Once again he failed to appear at the time fixed.

Had the prisoners been defended by counsel, he would not have failed to point out that, apart from the improbability of Bedloe being trusted with such a secret after his failure, the evidence did not affect the prisoners at all.

Evidence of the finding and condition of the body having been heard, Mrs. Curtis, Godfrey's servant, stated that Green had been to see Godfrey about a fortnight before his death, and that Hill had called on him on the morning of the Saturday and had a long conversation. As she had identified Hill out of a number of prisoners in Newgate we here have a piece of genuine reliable evidence—and unless we accept Prance's showing of the scene in Somerset House to the Lords it is the only real piece of evidence up till now. There followed a certain amount of evidence of a trifling character, not worth the space of summarizing.

Hill then called his evidence, such as his wife had been able to gather. It consisted of his fellowservants, who swore that he did not leave the house on the night when it was alleged that the murder was committed. His witnesses were, naturally, Catholics, and were insulted and jeered at by the court. Mary Tilden, Dr. Gauden's niece and housekeeper, was thus treated, when she deposed that Hill was in to supper:

LORD CH. JUSTICE. Are you a Roman Catholic?

TILDEN. Yes.

LORD CH. JUSTICE. Have you a dispensation to eat suppers on Saturday nights?

MR. RECORDER. I hope you did not keep him company after supper all night?

TILDEN. No, I did not, but he came in to wait at table at supper.

LORD CH. JUSTICE. I thought you had kept fasting on Saturday nights.

MR. JUSTICE JONES. How many dishes of meat had you to supper?

Another was told she was lucky not to be in the dock: others, who proved Hill's movements that night, were dis-

missed with remarks to the effect that every Papist was permitted to lie by his religion, for the good of the Church, and so they must not be believed. The whole proceeding is far from pleasant to read; the "infamous trade of the law and its infamous practitioners" have rarely so deserved their fame as in this wanton baiting of the poor witnesses of poor men, in order to hang three labourers and get a laugh from the gallery. The witnesses for Berry and Green were similarly treated.

Four witnesses were then brought forward which even this Court could not reject: Corporal Collet and Privates Trollop, Wright and Hasket. They were sentinels on guard at Somerset House that Wednesday night when Prance swore the body was taken out in a sedan-chair. They all swore, and they could not be shaken, that no such chair or anything else, had gone out that night.

Then Prance was asked by Mrs. Hill if he had been tortured to make him confess, which he denied. And then is entered the following curious dialogue:

MRS. HILL. Here is another witness, my Lord: Mr. Chevins.

LORD CH. JUSTICE. Well, sir, what say you?

CHEVINS. I have nothing to say but that I heard Mr. Prance deny all.

LORD CH. JUSTICE. Why, he does not deny that now. Well, have you any more?

CHEVINS. We have no more.

It seems very curious that Mr. Chevins' banal remarks should have been introduced. But L'Estrange, who investigated the matter under James II, reveals that Chevins was really Cheffinch, Charles II's personal secretary and pandar, and that he in reality gave a full account of the dramatic scene in which Prance secured audience of the

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King and fell on his knees before him, saying that his confession was a lie from beginning to end; and, being urged to speak the truth, repeated that as he hoped for salvation he had lied before. It appears, therefore, that Scroggs, who issued an exclusive license to the printer Pawlet, to print the trial, probably also saw that no unedifying evidence was left in. At least it shows that we cannot rely upon the official report for any detail.¹

Long speeches for the prosecution followed and then the Lord Chief Justice summed up. He re-told and emphasized the evidence of Prance and Bedloe, and suggested that the sentinels might have been mistaken, and then burst into a denunciation of the Pope and all Papists. So in a short while the jury returned a verdict of "guilty," and amid the cheers of the public Scroggs congratulated them, adding, "If it were the last word I were to speak in this world, I should have pronounced them guilty." And they were hanged soon after, declaring that they were innocent.

Officially, here the story ended. But since no historian at all now pretends to be satisfied with the verdict, or to believe that the three men were guilty, it is necessary to give the briefest possible account of subsequent events.

The effect of Oates' "plot" was all that Lord Shaftesbury could desire. Moreover, that same winter, Ralph Montagu, English ambassador in Paris, returned home and flung on the table of the House of Commons full evidence that Charles had been, and was, in the pay of Louis of France. Lord Treasurer Dandy was forced from office and impeached: Shaftesbury himself made Lord President of the Council. King Charles's intrigues and his stealthy progress

¹ The *State trials* text is taken direct from Pawlet. The second "*Chevins*" in the quotation above should probably be "*Mrs. Hill*," but I have not emended it.

to absolutism and the Church of Rome were stopped: he was clamped down into the place allocated to him by the Whigs: they had succeeded in saying to the Restoration "so far, and no farther." Shaftesbury had gone so far by riding the plot as heavily as possible. He wished to go farther and exclude the Catholic Duke of York (James II) from the succession, replacing him by the Duke of Monmouth. Oates therefore was spurred to greater flights of imagination. Hangings spread from London to the provinces. The aged Lord Stafford was brought from the Tower and executed. Bedloe rose to the peak of audacity in charging the Queen with complicity in a plot to murder the king.

But even the most horrifying plot cannot hold a nation demented for more than a certain space of time. Popular credulity was ending and suspicion and weariness of blood taking its place. Shaftesbury, instead of slackening, pressed ever harder on the plot till he drove it to death. Charles waited till he had received fresh aid from Louis, suddenly dissolved Parliament and appealed to the country in 1682. A great wave of Tory sentiment answered; Shaftesbury fled from the country in 1683; Charles became to all purposes absolute, and two years later his place was taken by the Roman Catholic James II.

So rapid a change had immediate effects on the "plot." Exposed to the light of reason, Oates' monstrous erection tottered and fell. Oates himself, and other informers, were revealed as men of infamous character, given to disgusting vices. They were severely punished. (Bedloe was beyond the reach of vengeance.) And among other things, a new light was shed on the murder of Sir Edmondbury Godfrey.

In the first place, Prance recanted once again. Whatever he said, Prance was obviously by now a reckless liar, but this last recantation is supported by independent witness,

and is in itself probable. His final statement, as reported by L'Estrange, who now collected evidence in the Tory interest, is to the effect that after his arrest and his denunciation by Bedloe he was sent to the Condemned Hole in Newgate, where he was ill-treated and in terror of his life. Early on Sunday morning "up comes a person to him wholly unknown, lays down a paper upon a form just by him, and so goes his way. Soon after this comes another with a candle: sets it down and leaves him. By the light of the candle Prance read the paper." The paper contained a full account of the alleged invasion plot and a report of Bedloe's evidence. It concluded: "You had better confess than be hanged." Prance, in terror, took the hint and the same day asked to be taken to Lord Shaftesbury, to whom he gave the desired evidence. Then contrition overcame him, and he secured audience of the King, where on his knees he retracted and admitted that his whole confession was a lie. Instantly he was taken back to Newgate, constituted again a prisoner on trial for his life and treated with the utmost cruelty. He was left in the bitter cold without warmth, and stapled to the ground, "roaring with the extremity of his pain." Other evidence showed that his screams were explained to an inquirer as being those of a woman in labour. His mental distress was such that he was thought by observers to be going insane.

The Dean of Bangor, Dr. Lloyd, was sent to him "to ease his mind" and also to expound to him discreetly the terribly simple choice: death by adhering to his recantation, life and comfort by denying it. The Dean enforced his argument by a signed royal pardon, which he had with him. "When the Dean of Bangor went to him on Saturday, he found him almost dead and without a pulse, but at last when his irons were off and he was carried into a warm

room, he began to hearken to his pardon and did revive, promising that he would declare all he knew, but first desiring to have his pardon completed, and after insisting hereupon, that then he should speak out." -

The Dean of Bangor, who had since become, as clerics will, a Bishop by prudent deference to the opinions of the government of the day, wrote to L'Estrange confirming this. He found Prance, he said, "stupefied with cold," and, contrary to his public statements at the time, he said he had doubted very much of Prance's truthfulness. (Had he offered this observation six years before, he might have saved three men's lives; but then, he would not have become a Bishop nearly so soon.)

Other evidence showed clearly how Shaftesbury's clique got their evidence. Walters and Bromwell, two men who found the body, were confined in Newgate, one nine weeks and one fourteen days, and repeatedly menaced and offered rewards to confess that they put the body there by arrangement with Papists. Corral, a coachman, was personally threatened with a murder charge by Shaftesbury, in an effort to make him say he had driven Godfrey's corpse to Primrose Hill in his coach, and was treated with especial harshness in Newgate by Shaftesbury's orders. Mrs. Gibbons, who had offered inopportune evidence, said she was driven into hysterics ("fell into fits") by Shaftesbury's bullying. Then Mrs. Hill swore she had slept in the room where Prance's tale put Godfrey's body, and was supported by other evidence; finally it was observed that Godfrey's body was rigid and could not have been forced astride a horse.

So the case against Green, Berry, and Hill is wiped out. We are faced once again, as L'Estrange was, with the question, "Who killed Sir Edmondbury Godfrey?"

There is no doubt that he met a violent death. Thus there

are only four alternatives: firstly, that it was a vulgar murder for robbery's sake; secondly, that he committed suicide; thirdly, that the Catholic faction killed him; fourthly, that the Whig faction killed him. When fantastic solutions have been excluded, these four alone seem to remain.

The fact that the body had all its rings and money untouched disposes of the first suggestion—robbery. The second suggestion, suicide, commended itself to L'Estrange, has been recently revived by a Catholic advocate (Mr. Marks), and was the current sceptical theory at the time. "Some have been of opinion that he hanged himself," said the Attorney-General at the trial, "and his relations, to save his estate, run him through," a suicide's goods being forfeited. L'Estrange produced, in support of this, evidence to the effect that Michael and Benjamin Godfrey, his brothers, seemed quite unreasonably alarmed at the news of Sir Edmondbury's disappearance, saying "we are ruined," and for a day or two enjoined silence on the household. This is feeble enough, but in endeavouring to show that Godfrey killed himself in order to avoid being killed by the Whig faction—that is his case!—L'Estrange stumbled on two pieces of evidence of real importance. The first was that Godfrey anticipated, if not death, at least some disaster, when he left. His clerk's description of his demeanour on going out has been quoted, and the clerk added that before his death Sir Edmondbury was "under great discontent and disorder many times", and wished that Tongue and Oates "had never come to him." Other witnesses also spoke to his depressed manner and tone. Secondly, it was proved that he spent the day before his death in burning large quantities of papers. But these facts, though important, do not prove suicide. Mary Gibbons swore that Godfrey told her that he would be hanged for "not discovering the plot": but this

was pure rubbish to please L'Estrange, for Godfrey knew the plot was before the King, and the form of Mrs. Gibbons' evidence gives one no confidence in her accuracy.

Mr. Marks, to aid L'Estrange's theory, has since made a frontal attack on the most serious obstacle to this theory—the medical evidence. Reinforcing himself with a medical expert, he argued that the bruises on the chest and the marks on the neck, and its condition, were to be attributed to "post-mortem hypostasis." Sir Edmondbury Godfrey ran himself through with his sword, he said, and the absence of blood in any quantities was due to the fact that the sword remained in the wound. This theory collapses at once when we remember that there were *two* wounds on the body: one the thrust through to the back in which the sword was found, the other ending on a rib, on which the sword's point had been stopped. Why did no blood come from that wound? No sword was there to stop it. The wound, therefore, must have been made some time after death. Consequently, the suicide theory can only be sustained by some elaborate and wholly unsupported hypothesis to the effect that Sir Edmondbury hanged himself, and his brothers Michael and Benjamin, after hiding the body for a few days, broke its neck, took it out to Primrose Hill and stuck a sword through it—and did all this so cleverly that a Tory inquirer, using all the Crown's resources to substantiate the theory of suicide, could find no trace of it!

Whoever committed the crime, indeed, was far from an expert or clever criminal. As Mr. Pollock points out, with a scandalizing air of expertness, this was a very badly arranged murder. The proper way to murder him was—says Mr. Pollock—to have him waylaid and knocked on the head at night in one of the dirty streets near the Strand,

and to steal all his money and rings, so that the crime would be laid to the door of robbers.

If we had evidence of Godfrey's movements on that Saturday we might be able to get nearer a solution. But we can fit nothing together. He was seen going north up St. Martin's Lane. He was also seen in Red Lion Fields. He was later seen coming back to London from Marylebone Pound, crossing the fields to Marylebone High Street. And the official account put him about 7 o'clock in St. Clement Dances. All this leads only to another dead end.

Well, then, Sir Edmondbury was killed either by the Whig or the Jesuit faction. A considerable body of support has been found in recent years for the revival of the latter theory. Both Sir John Hall and Mr. Pollock support it and in its favour are cited certain striking facts. It was not till the end of 1680 that the general public was allowed to know that Godfrey, this Protestant martyr, was on intimate terms with Father Coleman, the central figure on the Popish side. At the trial of Lord Stafford then, one Welden (a common friend whose name is also spelt Tilden) stated that on September 28th, the day on which Oates had sworn his long deposition before Godfrey, Godfrey and Coleman met at his house and conferred for a long time. They were reading papers. Idells, the servant, stated that he was sent to fetch Godfrey, with the message that "one Clarke" wanted to speak with him. Godfrey, knowing the meaning of this message, came at once. Godfrey was thus engaged over a period of time (since they had a password) in some intrigue with Coleman, and, what is more, was almost certainly showing to Coleman Oates' deposition, which enabled Coleman to destroy all his papers and, had he not overlooked the box in the chimney, would probably have saved his life. We

need seek no further for an explanation of the doubts that Godfrey cast on the plot, saying "Oates is sworn—and perjured" and so forth. Furthermore, the Lords originally sent a Committee to examine Coleman concerning Sid Edmond-bury's murder: the report, whatever it may have been, was suppressed, so that we may suspect it was damaging either to the Whig case or to the martyr's reputation, or to both.

To this must be added that it is proved, to reasonable satisfaction, that Hill, a Jesuit emissary, called on Godfrey the morning of his death, and that Godfrey had that very year been in France—Montpellier—where he presumably formed his connection with the French and Catholic Party. Also, Dr. Burnet, the historian, who kept silent at the time, noticed on Godfrey's clothes stains of white wax, such as is used for candles for ceremonial purposes by Catholic priests. If we could prove that these stains were made after death, the case would be settled; but we cannot.

Basing his case upon these revelations, Mr. Pollock produced an elaborate theory, which was to this effect. There was, he points out, a Jesuit consult held in London, on April 24th, at which the advancement of the Roman Catholic religion was undoubtedly discussed. But Oates, who had never been anything but a hanger-on, was quite wrong as to the place where the consult was held. It was not in the White Horse. It was in St. James's Palace, at the Duke of York's. If this secret got out, the Duke was ruined, for it was an absolutely illegal act—it was high treason by law—to harbour a meeting of Jesuits. Coleman had let out this secret to Godfrey, accidentally, thinks Mr. Pollock. For that reason, suggests Mr. Pollock, Lefevre, the Queen's confessor, planned and carried out the murder, for it was no longer safe for the Duke to let Godfrey live. As for Prance, he points out, firstly, that Prance was much more lightly

punished under James II than any other informer, and that after the revolution of 1688 Prance left the country, and his companion was, of all people, Father Warner, Provincial of the Jesuits. Prance, suggests Mr. Pollock, once ne had been trapped by Bedloe, had served a useful purpose to the Church by turning suspicion from the higher-placed persons and securing the sacrifice of common people who would not be missed.

This has certain plausible points. The light sentence on Prance, it is true, can easily be explained: Prance was not a wanton scoundrel like Oates, but only produced his perjuries under overwhelming pressure, and he was a fit subject for leniency. But it is true that it is very odd indeed that Father Warner should have chosen as fellow-traveller a man only less (to all appearances) an enemy and destroyer of Popery than Oates himself. Mr. Pollock's case, however, collapses, as Sir John Hall has pointed out, on two points. Firstly, Lefevre had escaped at the time Prance was supposed to be shielding him. Secondly, the secret that Godfrey is supposed to have been killed for was no secret. It was divulged, not only by James when king, but in a defence of the Catholics published as early as 1680, at the time of the trial of Lord Stafford, and while the terror was still raging.

Sir John Hall, having disposed of Mr Pollock, has produced another theory, which also ascribes the crime to Catholic circles. He suggests that things may have gone somewhat as follows:—Godfrey was on intimate terms with Coleman. Coleman was the agency for distributing large French bribes. Godfrey had received such bribes. There is nothing improbable in such a hypothesis, incidentally, for everyone was corrupt under the later Stuarts. Algernon Sidney, that most austere republican, accepted French bribes. It is indeed, apart from other questions, highly prob-

able that Godfrey received something for his services. Then, continues Sir John Hall, "after Coleman's arrest, he may have been called on, and have refused, to fulfil some promise or redeem some pledge." Then may have followed an altercation, ending in blows, in which Sir Edmondbury was accidentally killed, and his body had to be disposed of in the amateurish manner that it was.

This is not so high flown as Mr. Pollock's theory, but, apart from the fact that does not claim to be more than a hypothesis, based on no direct evidence, there are certain minor evidences of improbability. Firstly, if any Catholic killed Sir Edmondbury he did infinite injury to his Church and ensured dreadful and widespread retribution. If any Catholic did so, he must surely have acted in a moment of unwise fury. But Godfrey's body does not seem to be that of a man killed suddenly by a chance blow in a quarrel. His broken neck, the marks of strangling, and the bruises on his chest suggest far more a strong man who has been set upon by a gang whose intentions were murderous from the beginning. He was probably garrotted, and the marks on his chest may quite well have been caused by some one kneeling on him. Secondly, when on the scaffold Coleman was asked if he knew anything of Godfrey's murder, "he declared upon the words of a dying man he knew not anything of it", and under such circumstances some weight must be given to his words.

What then?

The old Latin tag, *Is fecit cui prodest*, says that the man who profits by a crime is likely to be its perpetrator. Now Oates and the Whigs profited alone by Godfrey's death. L'Estrange says quite truly that "the heat of Oates' plot was by this time pretty well cooled", but after the crime "*Who murdered Sir Edmondbury Godfrey?*" was the com-

mon refuge of people that were run up to the wall on that controversy." It was Oates' salvation: it was infinitely profitable to the Whigs: it was, in fine, a crime which they had every inducement to commit, if occasion suggested it to them, and if it was not laid to their door.

Sir Edmondbury Godfrey, much to his discomfort, had been sought out by Oates as an ardent Protestant J.P. and favoured with his full accusations. Instead of defending the Church of England, he was actually in close relations with Coleman, its arch-enemy, and was betraying to him the whole of the enemy's plans—had laid before him Oates' charges and evidence, which by law he should not have known till he entered court. And London was then a small place, and Godfrey's movements were probably soon known.

Godfrey himself had no easy conscience. He refused to be followed by an attendant to protect him, and, when remonstrated with, produced trifling excuses. His business did not want followers. He burnt a large quantity of compromising papers. Here was a popular Protestant judge, who was in reality betraying his co-religionists. He was troubled by fears of approaching death or disaster. From what quarter did he expect violence? Whom did he fear? The answer seems to impose itself. He might be discovered any moment by Oates and the Whigs, and he need expect no mercy. That Lord Shaftesbury, who, as even J.R. Green admitted, condoned "the vilest of crimes", was involved in the murder, is not necessarily absolutely impossible, but there is no need to assume any more than the complicity of Oates. Oates possessed every vice but cowardice. He was fully capable, in everyone's opinion, of such a crime. He did not lack the hardihood, for when he was brought to trial before Jeffreys, he answered insolence with insolence. And it was a genuine Oates—or was it Bedloe?—touch to realize

after the crime what excellent profit could be made out of ascribing it to the Papists.¹

Of course, here is only another hypothesis, without direct evidence. But only in this case—of ascribing it to Oates' gang—is the absence of direct evidence easily explicable. We have noticed frequently, in the course of this study, the hand of the law stifling unpleasant evidence and manufacturing desirable evidence. We may be sure that any evidence pointing towards Oates would have been put away, eradicated, annihilated as far as ever lay in the power of human kind.

But there I leave it. It is a hypothesis which explains, I think, Godfrey's actions before death, his fear, and his inability to explain his fear to friends; it squares with his relations with Coleman, and leaves aside the fabrications of Bedloe and Prance. It does not explain, indeed, why Father Warner had so curious a taste in travelling companions. Still, the defeated who fly after a revolution sometimes make strange bedfellows, and Metternich came to England with Lola Montez.

* * * * *

The Godfrey case, which shares with the poisoning of Sir Thomas Overbury the rare distinction of being a politically important murder which is also interesting qua murder, naturally crops up occasionally in historical novels. Possibly the most amazing of these is Whitefriars; or, The Days of Charles the Second (1844), a criminous ominium-gatherum which manages to include likewise Colonel Blood, Jack Duval, and every other possible antisocial aspect of good King Charles' golden days. This anonymous novel (actually by one Emma Robinson) was promptly dramatized by

¹ Sir James Stephen, says Sir John Hall, used to ascribe the crime to Oates.

WHO KILLED SIR EDMONDBURY GODFREY?

Thompson Townsend and filled the Victorian stage with buckets of gore.

*For a full-length factual treatment of the case, as fascinating as any detective novel even down to an astounding least-suspected-person solution, the reader is referred to John Dickson Carr's *The Murder of Sir Edmund Godfrey* (New York, Harper, 1936).—A. B.*

1745: THE MURDER OF DANIEL CLARK
BY EUGENE ARAM AND OTHERS

THE TRIAL OF EUGENE ARAM

by The Earl of Birkenhead

THE real story of the murder for which Aram was hanged, fifteen years after the crime, will never be known. There are three versions: that of Aram himself when examined; next the greatly different one which he told in the few days of waiting after his condemnation; and, thirdly, that of Houseman, who turned King's evidence. Houseman may have been right as to the main fact, but he had much to conceal. Aram's first account is almost certainly not true; and of the second the probability is that only the fact of the murder may be accepted. There seem to have been too many people interested in concealing their share in the crime, but enough is known to conjecture that, as in so many other crimes, committed by several in concert, there was a criminal conspiracy the members of which were not loyal to one another. Perhaps, indeed, the murder was only a casual consequence of thieves falling out.

There are two other circumstances besides the mystery of the murder which have combined to make the trial of Eugene Aram so noteworthy. One was that the interval between the crime and the punishment was so long. Justice is leadenfooted, but rarely, in this world at least, do the mills of God grind so slowly as in this case. It was not until Daniel

Clark had been in his grave for thirteen years that steps were taken to charge his murderers, and then a year elapsed before the one who was eventually condemned paid the forfeit. The other circumstance was the intellectual superiority of Eugene Aram. True it is that he was a struggling schoolmaster in a remote town and that the world did not know of his marked ability as a scholar, but that such a man, given to hard study in his scanty leisure, should join in a vulgar fraud or a sudden crime in the company of men of no great education is remarkable. Intellect is no guarantee against crime; but of all men the earnest solitary student seems most exempt from temptations which to others appeal so strongly. One may add to these reasons, also, the singular chance which added a new instance to the old saw that "murder will out." It is not surprising, therefore, that Thomas Hood found in the story the inspiration for a moving poem, or that Bulwer Lytton built upon it a narrative embellished by his fecund imagination. Few years have elapsed since Aram suffered on the gallows without some account of his crime being published for the amusement or instruction of the public.

Let us first examine the kind of man he was. He was born at Ramsgill in the West Riding. The date of his birth is nearly indicated by the fact that he was baptised on 2nd October, 1704. His father was a gardener, respected for his integrity and natural ability. Eugene was educated at small country schools, where he profited by the meagre instruction then afforded, and learned, what is most important, how to learn for himself. From his earliest days he was a student, for ever teaching himself some fresh branch of knowledge, with a strong bias for languages and what is now termed philology. After a short experience of office life he commenced schoolmaster, as the saying goes, at his

native village, where he taught with success but with rigid severity. A number of the boys who at various times and places came under his instruction afterwards made their way in the world.

On 4th May, 1731, he married Anne Spence. Little is known about her. She seems to have been of an inferior station in life, and to have gained small affection or esteem from him. While they lived together she bore him many children, but her society was not otherwise congenial. When he deserted her, she seems to have accepted her lot with resignation and made no attempt to recall him to his duty. Apparently she knew of the murder, but until the discovery she kept her peace.

What was the attraction or motive which led to this ill-assorted and ill-starred union it is idle to speculate. But the support of a wife and a large and increasing family must have been a severe tax upon Aram's limited resources. It was in 1734 that he went to Knaresborough, attracted by the post of steward to a small estate, which he combined with that of a private schoolmaster. He had by this time acquired a knowledge of Latin and Greek, and there began to tackle Hebrew and subsequently the Celtic languages. Study and his garden were his only relaxations; but how he could find the opportunity for pursuing knowledge in his small house with his scanty means and leisure it is difficult to imagine, the more so as his neighbours were not such as to afford him much chance of intellectual companionship. It was in these circumstances and amid these surroundings that he perceived that Latin and Greek were cousin languages, and not daughter and mother as scholars then believed; and so he claimed that the Celtic languages belonged to the European family, a circumstance which remained unperceived by other scholars for many years. The notes on the

subject which he prepared prove that with better opportunities he would have become a scholar of world-wide reputation. Such was this solitary severe student, hampered by poverty, an uncongenial wife, and the routine of a small school.

Near the schoolhouse lived Robert Houseman, a sturdy broad-shouldered man, who followed the calling of a linen weaver. In the same town also lived Henry Terry, a publican. Houseman, Terry and Aram, were destined to be charged with the same murder, but their fates were widely differing.

The victim was Daniel Clark, who, though only twenty-three, had a thriving business as a shoemaker in which he had succeeded his father. He was pale, and pock-marked and stammered, but these defects had not prevented him from attaining the hand of a young lady of means, large for their station of life. In February, 1745, he was anxiously awaiting the birth of a child.

He had been engaged in some curious transactions which must have caused comment in so small a town. Though his wife had brought him several hundred pounds, he had been buying goods on credit and the goods were of such a kind as to be easily portable. He still owed for the goods when at nine o'clock on the night of 7th February, 1745, he left home for the last time. He said he was going to visit his wife, who was then staying with relatives at a neighbouring village. Whether that was an excuse or not is uncertain, but he could hardly have meditated departure since he made an appointment for the next morning. The fact that he did not keep this appointment led to enquiries which revealed the disquieting circumstance that he had not seen his wife at all. Nor was he alone missing. His money and goods had gone.

The only curious feature was that he had not taken his horse.

Now during the night he had been seen by a number of people. At one time he had been with Houseman; at others with Houseman and Aram. At two or three o'clock in the morning he had called up a man who noticed that the other two were with him. Next morning the man missed a pick, which was recovered two or three days later from Aram's house.

After a day or two Clark's absence alarmed his creditors. They drew the most uncharitable inference and advertised for him. Reward £15 "and no questions asked." His association with Aram and Houseman led people to think that all three were in the fraud, and these two men had to submit to a search. Both had many of the things missing from Clark's house. The plate had disappeared. Terry was not suspected, but, with the recovery of part of the goods, the creditors were satisfied and the population settled down to its drab existence. If Clark had bolted, the absence of the property was explained. If the other two had aided him, a division of the spoil would account for what they had. Therefore, as it was generally believed that Clark had defrauded his creditors, his absence only troubled his family and those creditors. One cannot dismiss the belief in such a fraud as mere wicked inference from his disappearance. The circumstances are not entirely inconsistent with a criminal design.

But there were other suspicious matters. Only a few days later Aram was arrested for debt. The officer, who knew his means, was astounded when the needy schoolmaster produced quantities of guineas and paid the debt on the spot. It is true that this led to Aram's arrest on a charge of stealing

Clark's things, but the evidence was not strong enough and he was discharged. About this time he also paid off a mortgage, so that his means had suddenly increased for no obvious reason. It was only after many years that people remembered that Mrs. Clark's dowry was missing, and associated the two facts. At the time they believed that Clark had the money.

Soon after this Aram left Knaresborough. Why he should do so is a matter for conjecture. He left ostensibly on a visit to some relatives, but the neighbours asserted that they still saw him creeping about at night. Mrs. Aram flatly denied this. However, that may be, by April 1745, he had found his way to London and henceforth, so far as is known, his family knew him no more.

There is a curious story that, posing as a man of means, with an estate in Essex, he visited a lady who was under the protection of a man from Leeds. The latter found him at her house, and recognising him, armed the lady with a few pertinent questions by which she could test his bona fides. When next he came she found an opportunity to ask him about Knaresborough. In some confusion of manner he admitted that he had been there on business. When this question was followed by the inquiry whether he knew Daniel Clark he was visibly confounded. He faltered out that he believed that he had read about a man of that name in the newspapers, but why should she ask him about a shoemaker, hastily adding that such was he believed the occupation mentioned in the papers. Then he began to ask questions about her interrogatory. The lady replied that the gentleman he had seen came from Leeds and thought he recognised an acquaintance, but as it was all a mistake it was no great matter. But it was a great matter to Aram, who came no more.

Though for a time he lived on his means, he soon had to find an occupation. He became Latin and writing master at a private school in Piccadilly, where, as part of his remuneration, his employer taught him French. After that he became writing master at a school at Hayes, in Middlesex. He may, though it is not certain, have visited France. His last employment was as a law copyist, a steady, but unremunerative and essentially unexciting occupation. Eventually, during the latter part of 1757, he was engaged as usher (or assistant-master) at King's Lynn, his appointment being duly confirmed by the Town Council. Among his pupils there was James Burney, afterwards an Admiral, brother of Fanny Burney. In addition to his post, he earned money by taking private pupils. There was a lady with him, his niece he said she was, and he found her lodgings at a baker's. His own quarters were a room in the master's house. Some afterwards said that she was his mistress. Others that she was a daughter. A few indeed have been obscene enough to combine the hypotheses. Whatever the relationship, there is a plausible reason for the deceit. An usher's salary and quarters were designed for a bachelor. A mistress must be disguised as a relative. A daughter would lead to enquiries about the rest of the family. Whoever the lady was, there she was, but what became of her is unknown. There is a similar conflict about his life at Lynn. According to some he was a learned, cultured gentleman whose society was much sought after by the local clergy and professional men. According to others he was a solitary, moody, moping individual averse from all social life. Probably the truth lies between the two. An elderly unknown assistant-master would hardly be chosen as an equal companion, but he must have had to meet men who could recognise ability and respect it.

One thing is certain, that he was recognized and the news that he was living there soon reached Knaresborough. As soon as a warrant was issued, the parish constables went as straight to Lynn as a homing pigeon makes for its loft. The current story is that a groom travelling with a stallion who had lived at Knaresborough saw him at Lynn and took the news back. It is at least probable: for somebody saw him.

Meanwhile the disappearance of Clark remained a mystery, though none thought it to be one. No one, not even his family, believed him to be dead. Indeed, his brother-in-law even went so far as to sue him, and when he did not appear to answer the claim, had him outlawed, as was then the practice. The outlawry was declared on 20th October, 1746, and remained on the records until 1832, when someone with a glimmering of sense, thought that a man who had been murdered eighty-seven years ago did not deserve to have the entry renewed, and omitted it. Houseman alone gave a hint of uneasiness. Though it escaped comment at the time, his townsfolk noticed that whenever the Lidd overflowed its banks, he wandered along the stream as far as St. Robert's Cave, the reputed home of a mediæval hermit. He had reason. The mystery of Clark's disappearance might be solved by the swollen stream.

At last on 1st August, 1758, a labourer named Thompson, while digging at Thistle Hill, near Knaresborough, brought to light some human bones. Two days later he uncovered the rest of the skeleton. The news caused great excitement in the town and for some reason the popular imagination jumped to the conclusion that the bones were Clark's and that he had been murdered. Why the mere unearthing of a skeleton should cause this *volte-face* it is too late to enquire. The coroner was informed. Surgeons were called to examine the remains and on the 14th August the coroner and his jury

"sat upon" them. Witnesses deposed that about fourteen years before they had noticed, at the spot where the bones were found, the earth recently disturbed. Mrs. Aram gave evidence that she believed Clark to have been murdered, and one witness swore that, as Clark was the only person missing thence in his time, the skeleton must be that of Clark. The surgeons were sure of it. The bones were those of a young man of Clark's age and size and had lain on the ground for the right period. The jury were convinced. The verdict was that the body was Clark's, and that he had been murdered by a person or persons unknown.

The local worthies then proceeded to apply what they considered an infallible test. They brought up Houseman to see the bones. He responded beautifully. The summons caused him alarm and confusion. He came with reluctance and, with visible repugnance, took up one of the bones when ordered so to do. But all these signs of guilt did not evoke any response from the dead. In fact the contrary occurred. Houseman said, "This is no more Dan Clark's bone than mine." Asked his reason he said that he had a witness who saw Clark after his disappearance, and sure enough the man was produced and declared that such was the case. For some reason this was thought conclusive, though why Daniel Clark could only have been murdered on 7th February, 1745, is not obvious. The coroner was still in the town. He summoned a fresh jury whose verdict was an unknown person murdered by someone unknown. Incidentally, as all the evidence of murder related to Daniel Clark, these events do not reflect much credit on the coroner's intelligence. It was about equal to his law, for he should have known that only the Court of King's Bench could authorize a second inquest on the same body. It is just possible that Houseman's signs of guilt were not misplaced.

There is a story about a Jew pedlar, a young man who had been in Knaresborough, but no one had seen him go. But that may be mere idle gossip.

The jury having decided that the remains were not Daniel Clark's, the local justice of the peace decided to issue a warrant to arrest Houseman and Aram for murdering Clark. The evidence available was the same as when he had disappeared. The only charge was that men had jumped to the right conclusion, but had found the wrong body. Now came the turn of Houseman. He was examined, and like most other criminals he said too much and too little. He would only admit that he was with Clark and had left him at Aram's house, but indicated that there was more to tell. He was committed to prison and on the way convinced his custodians that he was conscious of guilt. When they reached York, the justice, by a coincidence hardly fortuitous, happened to be there, and to him Houseman then confessed that he had seen Aram strike Clark several blows when they were near St. Robert's Cave, but he knew nothing more, as he ran away. Afterwards Aram came back alone. After that he described where the body lay—which he could not have known had his story been literally true—and at the precise spot he mentioned inside the cave men dug up a body. At the inquest many witnesses deposed to what they had heard. The evidence was mostly hearsay, but a coroner is not bound by the laws of evidence as at a trial. What was certain was that this dead man had been murdered by a crushing blow on the base of the skull. The jury found that this body was Clark's and that he had been murdered by Houseman and Aram. The former was in custody. The next day, 19th August, Aram was arrested at Lynn. He reached Knaresborough in custody on the 21st.

The return of Aram was greeted by a crowd. His wife

and daughters went to see him, but they had to wait until he had finished conversation with the local notabilities. The wife met with an off-hand recognition. Naturally he did not know his daughters whom he had left as little children. His examination by the justice was inconclusive. He knew nothing about Clark's disappearance. For the most part he said he did not remember when facts were put to him. He was ordered to prison, but like Houseman, manifested a desire to say more, and was brought back. Then he admitted that he with Houseman and Terry had aided Clark to remove goods from the latter's house. Eventually all four went to St. Robert's Cave, where they beat most of the plate flat. By then it was nearly four o'clock, much too late for Clark to set off, and it was arranged that he should remain in the cave until the next nightfall. Terry undertook to bring food. Next night all three went to visit Clark, but he (Aram) remained on watch outside. He heard a noise which he put down to beating out the rest of the plate. After an hour the two came out and told him that Clark had gone. Then they went back to Houseman's. Afterwards Terry told him that he had disposed of the plate in Scotland. That, declared Aram, was all he knew.

Terry was at once taken and examined. He met Aram's allegations with a flat denial, but was also committed. The three had a long wait for trial. The next Assizes were not until March, 1759, and then the only event was a successful application to postpone the trial. The prosecution were in a difficulty. Apart from the confessions, the evidence, so far as it was admissible, merely established a case of grave suspicion. The question had to be faced whether one of the prisoners should be admitted to give evidence. Houseman's story was the most direct, but there were inconsistencies; and to use him would mean that Mrs. Aram could not give

evidence. On the other hand, Aram's statement was consistent with Clark not having been murdered, but, if believed, he would implicate both the others. Terry declared he knew nothing and his evidence would of course be useless. Aram got an inkling that Houseman would rat and enquired about the admissibility of his evidence. In the meantime he was preparing his defence and occupying his spare time in writing and study. On 28th July, 1759, the Summer Assize began. Mr. Justice Noel took the pleas of the Crown. True bills were returned and on 3rd August the three men came up for trial. Houseman had counsel. Aram had not. The former's trial was a mere form. No evidence was offered and he was accordingly acquitted. Then came Aram's turn. Mr. Fletcher Norton, K.C., a celebrated hectoring leader, with three juniors, was charged with the prosecution. The opening speeches have not been preserved. The first witness was Houseman, who in the main repeated his confession. If believed, the jury could convict on that alone, but it is a rule of practice, almost a rule of law, that the evidence of an accomplice must be corroborated. There are too many reasons against relying solely upon such evidence, and accordingly witnesses were called to prove the events of the fatal night, the prisoner's unexplained possession of sudden means, what happened at his arrest, the finding of the body and the medical evidence that the deceased had been killed by violence. The case for the prosecution had been thoroughly and competently revised and followed the familiar course of such trials. Aram was then called on to make his defence. He read his celebrated speech. After introductory remarks concerning his ignorance and inexperience in the ways of the law, and a protest against being charged with a crime of which he was incapable, he made his points. His whole life, he declared, refuted the

charge. "I concerted not schemes of fraud, projected no violence, injured no man's person or property. My days were honestly laborious, my nights intensely studious," and he remarked that no man was "ever corrupted at once. Villainy is ever progressive." At the time of the murder he had just risen from a sick bed and indeed had never fully recovered. Nor had he any motive to murder Clark. Secondly, he averred, there was no evidence that Clark was dead. The inference from his disappearance was too fallible. He cited the case of a manacled criminal who had escaped from York Castle in 1757, and never been heard of since (his remains were found in 1780). The skeleton proved nothing, as was shown by numerous instances which he cited. Indeed another skeleton had been identified as Clark's. Moreover, there were authentic cases of men reappearing after others had been convicted of murdering them. His first example was that of the Perrys for the murder of William Harrison in 1661, a celebrated case, though modern research has tended to prove that it never occurred. Then with a general denial of guilt he concluded with these words: "I, at the last, after a year's confinement, equal to either fortune, put myself upon the candour, the justice, the humanity of Your Lordship, and upon yours, my countrymen, gentlemen of the jury." It was a remarkable speech, but its merits are purely academic. No lawyer would have been content with such an appeal. Prepared as it was in advance, it ignored the proof advanced against him. There was no comment upon Houseman's evidence or upon his credibility; nor was there any attempt to answer or evade the corroborative evidence. It is useless to declare "I did not do it" when the evidence is that you did. It is idle to say "I had no motive" when proof shows both motive and attainment of the desired gain. Such evidence must be dealt with to convince the

jury that it should not be accepted or does not prove the fact. Nor is it of any advantage to cite other instances to discredit evidence which points definitely to murder at a particular place, and a definite place of burial, and when a body has been found at the designated place, obviously murdered in the way described. Mere reasoning has never weighed much against definite, positive evidence, and as a defence the speech was futile. Even an alibi would have stood more chance. The whole prosecution rested upon Houseman. If the jury could be brought to believe that the turncoat was the murderer, an acquittal was possible, for, if he were wholly discredited, the rest of the evidence might be explained away. The fact that contemporary attention was directed to the defence shows that Aram's cross-examination could not have had any point, if indeed he did cross-examine at all. To question witnesses is an art which demands both practice and natural ability, and there is nothing in Aram's speech which suggests that he had any aptitude for the task. Consequently the case must have been "dead," and the judge would not spend much time upon the summing-up. The jury certainly had no hesitation in pronouncing Aram guilty. He received both verdict and sentence with composure.

Then came the trial of Terry. The only evidence against him was Aram's confession, which was not admissible and accordingly he was acquitted without trial. That day, he rode rejoicing out of York into oblivion.

The execution was fixed for the 6th August, and in the few remaining days of his life Aram set to work to compose a justification and to see his visitors. To a clergyman he admitted the murder, but attributed it to his belief in an intrigue between his wife and Clark, a most unlikely story. He

assented to the suggestion that the murder was not at the Cave and to another that Houseman had urged him to murder his wife in order to close her mouth. Indeed, the most reasonable hypothesis on the known facts is that Clark was murdered in or near Aram's house. In spite of his assured air, Aram was profoundly moved by the disgrace, and on the night before his execution attempted suicide. Although this left him weak, the sentence was duly carried out on the Knavesmire, in the presence of an immense multitude. The sentence went further and directed his body to be hanged in chains at Knaresborough, and this was done. There it remained for many years, and tradition asserts that, as it disintegrated, his widow gathered up and buried the fragments that fell. A local physician, Dr. Hutchinson, one night stole the skull and this is now placed in the Museum of the Royal College of Surgeons.

Houseman incurred the full force of public dislike of an informer. A mob, thirsting for his blood, chased him through Knaresborough on his return. He never afterwards was seen in the day-time, and soon removed from the town. He is said to have attempted several times to hang himself. At last he returned to die in 1777, and his body was secretly removed to Marton for burial, lest scandalous tumults should break out at Knaresborough.

A subsidiary mystery is why one Francis Iles of York was able to suppress such part of the examinations as reflected upon him. It would seem that he had received some of the goods and his reputation was that of a "fence." But that part of the case was never mentioned.

Thus died Eugene Aram, a man of natural, even of brilliant, ability, who in happier circumstances might have lived to earn a scholar's reputation, and to gain credit for his

country. Falling, one knows not how, into temptation, he brought himself to a shameful end and involved with him an innocent family.

"Murder will out."

* * * * *

The two literary works referred to in the essay are Sir Edward Bulwer Lytton's Eugene Aram, a tale (1831), in which Aram is whitewashed with bombastic philosophizing (a performance admirably burlesqued by Thackeray in his George de Barnwell), and Thomas Hood's The dream of Eugene Aram, the Murderer (1829), a stupendous setpiece which can still make the blood run cold. A play Eugene Aram by W. G. Wills was produced by Henry Irving in 1873, and nineteenth century London saw other plays on the subject by W. T. Moncrieff, Adolf Faucquez, and Freeman Wills (with Frederick Langbridge). In fact, the Aram case, according to Edmund Pearson, "has, perhaps, the most extensive bibliography of any murder not a political assassination." Not the least point of literary interest to the fancier of murder is the nebulous figure of "one Francis Iles."

Sir Henry Irving's connection with murder was not restricted to the stage, where he played roles ranging from the murderous Aram to the murdered Becket in Tennyson's tragedy. He was an amateur criminologist of note and projected a regrettably unfinished drama on Thomas Griffiths Wainewright¹. His son H. B. Irving was a notable actor but an even more notable criminologist². And his stage manager, through much of his career, was one Bram Stoker³.—A. B.

¹ See p. 59 (WILDE).

² See p. 203 (IRVING).

³ See p. 5 (STOKER).

1829: *THE MURDERS OF GEORGE EDWARDS
GRIFFITHS AND OTHERS BY THOMAS
GRIFFITHS WAINEWRIGHT*

PEN, PENCIL AND POISON

by Oscar Wilde

It has constantly been made a subject of reproach against artists and men of letters that they are lacking in wholeness and completeness of nature. As a rule this must necessarily be so. That very concentration of vision and intensity of purpose which is the characteristic of the artistic temperament is in itself a mode of limitation. To those who are pre-occupied with the beauty of form nothing else seems of much importance. Yet there are many exceptions to this rule. Rubens served as ambassador, and Goethe as state councillor, and Milton as Latin secretary to Cromwell. Sophocles held civic office in his own city; the humourists, essayists, and novelists of modern America seem to desire nothing better than to become the diplomatic representatives of their country; and Charles Lamb's friend, Thomas Griffiths Wainewright, the subject of this brief memoir, though of an extremely artistic temperament, followed many masters other than art, being not merely a poet and a painter, an art-critic, an antiquarian, and a writer of prose, an amateur of beautiful things, and a dilettante of things delightful, but also a forger of no mean or ordinary capa-

bilities, and as a subtle and secret poisoner almost without rival in this or any age.

This remarkable man, so powerful with "pen, pencil and poison," as a great poet of our own day has finely said of him, was born at Chiswick, in 1794. His father was the son of a distinguished solicitor of Gray's Inn and Hatton Garden. His mother was the daughter of the celebrated Dr. Griffiths, the editor and founder of the *Monthly Review*, the partner in another literary speculation of Thomas Davis, that famous bookseller of whom Johnson said that he was not a bookseller, but "a gentleman who dealt in books," the friend of Goldsmith and Wedgwood, and one of the most well-known men of his day. Mrs. Wainewright died, in giving him birth, at the early age of twenty-one, and an obituary notice in the *Gentleman's Magazine* tells us of her "amiable disposition and numerous accomplishments," and adds somewhat quaintly that "she is supposed to have understood the writings of Mr. Locke as well as perhaps any person of either sex now living." His father did not long survive his young wife, and the little child seems to have been brought up by his grandfather, and, on the death of the latter in 1803, by his uncle George Edward Griffiths, whom he subsequently poisoned. His boyhood was passed at Linden House, Turnham Green, one of those many fine Georgian mansions that have unfortunately disappeared before the inroads of the suburban builder, and to its lovely gardens and well-timbered park he owed that simple and impassioned love of nature which never left him all through his life, and which made him so peculiarly susceptible to the spiritual influences of Wordsworth's poetry. He went to school at Charles Burney's academy at Hammersmith. Mr. Burney was the son of the historian of music, and the near kinsman of the artistic lad who was destined to turn

out his most remarkable pupil. He seems to have been a man of a good deal of culture, and in after years Mr. Wainewright often spoke of him with much affection as a philosopher, an archæologist, and an admirable teacher who, while he valued the intellectual side of education, did not forget the importance of early moral training. It was under Mr. Burney that he first developed his talent as an artist, and Mr. Hazlitt tells us that a drawing-book which he used at school is still extant, and displays great talent and natural feeling. Indeed, painting was the first art that fascinated him. It was not till much later that he sought to find expression by pen or poison.

Before this, however, he seems to have been carried away by boyish dreams of the romance and chivalry of a soldier's life, and to have become a young guardsman. But the reckless dissipated life of his companions failed to satisfy the refined artistic temperament of one who was made for other things. In a short time he wearied of the service. "Art," he tells us, in words that still move many by their ardent sincerity and strange fervour, "Art touched her renegade; by her pure and high influence the noisome mists were purged; my feelings, parched, hot, and tarnished, were renovated with cool, fresh bloom, simple, beautiful to the simple-hearted." But Art was not the only cause of the change. "The writings of Wordsworth," he goes on to say, "did much towards calming the confusing whirl necessarily incident to sudden mutations. I wept over them tears of happiness and gratitude." He accordingly left the army, with its rough barrack-life and coarse mess-room tittle-tattle, and returned to Linden House, full of this new-born enthusiasm for culture. A severe illness, in which, to use his own words, he was "broken like a vessel of clay," prostrated him for a time. His delicately strung organization,

however indifferent it might have been to inflicting pain on others, was itself most keenly sensitive to pain. He shrank from suffering as a thing that mars and maims human life, and seems to have wandered through that terrible valley of melancholia from which so many great, perhaps greater, spirits have never emerged. But he was young—only twenty-five years of age—and he soon passed out of the “dead black waters,” as he called them, into the larger air of humanistic culture. As he was recovering from the illness that had led him almost to the gates of death, he conceived the idea of taking up literature as an art. “I said with John Woodvill,” he cries, “it were a life of gods to dwell in such an element,” to see and hear and write brave things:—

*“These high and gusty relishes of life
Have no allayings of mortality.”*

It is impossible not to feel that in this passage we have the utterance of a man who had a true passion for letters. “To see and hear and write brave things,” this was his aim.

Scott, the editor of the *London Magazine*, struck by the young man’s genius, or under the influence of the strange fascination that he exercised on every one who knew him, invited him to write a series of articles on artistic subjects, and under a series of fanciful pseudonyms he began to contribute to the literature of his day. *Janus Weathercock*, *Egommet Bonmot*, and *Van Vinkvrooms*, were some of the grotesque masks under which he chose to hide his seriousness or to reveal his levity. A mask tells us more than a face. These disguises intensified his personality. In an incredibly short time he seems to have made his mark. Charles Lamb speaks of “kind, light-hearted Wainewright,” whose prose is “capital.” We hear of him entertaining Macready, John Forster, Maginn, Talfourd, Sir Wentworth Dilke, the poet

John Clare, and others, at a *petit-dîner*. Like Disraeli, he determined to startle the town as a dandy, and his beautiful rings, his antique cameo breast-pin, and his pale lemon-coloured kid gloves, were well known, and indeed were regarded by Hazlitt as being the signs of a new manner in literature: while his rich curly hair, fine eyes, and exquisite white hands gave him the dangerous and delightful distinction of being different from others. There was something in him of Balzac's Lucien de Rubempré. At times he reminds us of Julien Sorel. De Quincey saw him once. It was at a dinner at Charles Lamb's. "Amongst the company, all literary men, sat a murderer," he tells us, and he goes on to describe how on that day he had been ill, and had hated the face of man and woman, and yet found himself looking with intellectual interest across the table at the young writer beneath whose affectations of manner there seemed to him to lie so much unaffected sensibility, and speculates on "what sudden growth of another interest" would have changed his mood, had he known of what terrible sin the guest to whom Lamb paid so much attention was even then guilty.

His life-work falls naturally under the three heads suggested by Mr. Swinburne, and it may be partly admitted that, if we set aside his achievements in the sphere of poison, what he has actually left to us hardly justifies his reputation.

But then it is only the Philistine who seeks to estimate a personality by the vulgar test of production. This young dandy sought to be somebody, rather than to do something. He recognized that Life itself is an art, and has its modes of style no less than the arts that seek to express it. Nor is his work without interest. We hear of William Blake stopping in the Royal Academy before one of his pictures and pronouncing it to be "very fine." His essays are prefiguring of much that has since been realized. He seems to have antici-

pated some of those accidents of modern culture that are regarded by many as true essentials. He writes about La Gioconda, and early French poets and the Italian Renaissance. He loves Greek gems, and Persian carpets, and Elizabethan translations of *Cupid and Psyche*, and the *Hypnerotomachia*, and book-bindings, and early editions, and wide-margined proofs. He is keenly sensitive to the value of beautiful surroundings, and never wearies of describing to us the rooms in which he lived, or would have liked to live. He had that curious love of green, which in individuals is always the sign of a subtle artistic temperament, and in nations is said to denote a laxity, if not a decadence of morals. Like Baudelaire he was extremely fond of cats, and with Gautier, he was fascinated by that "sweet marble monster" of both sexes that we can still see at Florence and in the Louvre.

There is of course much in his descriptions, and his suggestions for decoration, that shows that he did not entirely free himself from the false taste of his time. But it is clear that he was one of the first to recognize what is, indeed, the very keynote of æsthetic eclecticism, I mean the true harmony of all really beautiful things irrespective of age or place, of school or manner. He saw that in decorating a room, which is to be, not a room for show, but a room to live in, we should never aim at any archæological reconstruction of the past, nor burden ourselves with any fanciful necessity for historical accuracy. In this artistic perception he was perfectly right. All beautiful things belong to the same age.

And so, in his own library, as he describes it, we find the delicate fictile vase of the Greek, with its exquisitely painted figures and the faint ΚΑΛΟΣ finely traced upon its side, and behind it hangs an engraving of the "Delphic Sibyl" of

Michael Angelo, or of the "Pastoral" of Giorgione. Here is a bit of Florentine majolica, and here a rude lamp from some old Roman tomb. On the table lies a book of Hours, "cased in a cover of solid silver gilt, wrought with quaint devices and studded with small brilliants and rubies," and close by it "squats a little ugly monster, a Lar, perhaps, dug up in the sunny fields of corn-bearing Sicily." Some dark antique bronzes contrast "with the pale gleam of two noble *Christi Crucifixi*, one carved in ivory, the other moulded in wax." He has his trays of Tassie's gems, his tiny Louis-Quatorze *bonbonnière* with a miniature by Petitot, his highly prized "brown-biscuit teapots, filagree-worked," his citron morocco letter-case, and his "pomona-green" chair.

One can fancy him lying there in the midst of his books and casts and engravings, a true virtuoso, a subtle connoisseur, turning over his fine collection of Marc Antonios, and his Turner's "Liber Studiorum," of which he was a warm admirer, or examining with a magnifier some of his antique gems and cameos, "the head of Alexander on an onyx of two strata," or "that superb *altissimo rilievo* [raised carving or sculpture] on cornelian, Jupiter *Ægiochus*." He was always a great amateur of engravings, and gives some very useful suggestions as to the best means of forming a collection. Indeed, while fully appreciating modern art, he never lost sight of the importance of reproductions of the great masterpieces of the past, and all that he says about the value of plaster casts is quite admirable.

As an art-critic he concerned himself primarily with the complex impressions produced by a work of art, and certainly the first step in æsthetic criticism is to realize one's own impressions. He cared nothing for abstract discussions on the nature of the Beautiful, and the historical method, which has since yielded such rich fruit, did not belong to

his day, but he never lost sight of the great truth that Art's first appeal is neither to the intellect nor to the emotions, but purely to the artistic temperament, and he more than once points out that this temperament, this 'taste,' as he calls it, being unconsciously guided and made perfect by frequent contact with the best work, becomes in the end a form of right judgment. Of course there are fashions in art just as there are fashions in dress, and perhaps none of us can ever quite free ourselves from the influence of custom and the influence of novelty. He certainly could not, and he frankly acknowledges how difficult it is to form any fair estimate of contemporary work. But, on the whole, his taste was good and sound. He admired Turner and Constable at a time when they were not so much thought of as they are now, and saw that for the highest landscape art we require more than "mere industry and accurate transcription." Of Crome's "Heath Scene near Norwich" he remarks that it shows "how much a subtle observation of the elements, in their wild moods, does for a most uninteresting flat," and of the popular type of landscape of his day he says that it is "simply an enumeration of hill and dale, stumps of trees, shrubs, water, meadows, cottages and houses; little more than topography, a kind of pictorial map-work; in which rainbows, showers, mists, haioes, large beams shooting through rifted clouds, storms, starlight, all the most valued materials of the real painter, are not." He had a thorough dislike of what is obvious or commonplace in art, and while he was charmed to entertain Wilkie at dinner, he cared as little for Sir David's pictures as he did for Mr. Crabbe's poems. With the imitative and realistic tendencies of his day he had no sympathy, and he tells us frankly that his great admiration for Fuseli was largely due to the fact that the little Swiss did not consider it necessary that an artist

should paint only what he sees. The qualities that he sought for in a picture were composition, beauty and dignity of line, richness of colour, and imaginative power. Upon the other hand, he was not a doctrinaire. "I hold that no work of art can be tried otherwise than by laws deduced from itself: whether or not it be consistent with itself is the question." This is one of his excellent aphorisms. And in criticizing painters so different as Landseer and Martin, Stothard and Etty, he shows that, to use a phrase now classical, he is trying "to see the object as in itself it really is."

However, as I pointed out before, he never feels quite at his ease in his criticisms of contemporary work. "The present," he says, "is about as agreeable a confusion to me as Ariosto on the first perusal. . . Modern things dazzle me. I must look at them through Time's telescope. Elia complains that to him the merit of a MS. poem is uncertain; 'print,' as he excellently says, 'settles it.' Fifty years' toning does the same thing to a picture." He is happier when he is writing about Watteau and Lancret, about Rubens and Giorgione, about Rembrandt, Correggio, and Michael Angelo; happiest of all when he is writing about Greek things. What is Gothic touched him very little, but classical art and the art of the Renaissance were always dear to him. He saw what our English school could gain from a study of Greek models, and never wearies of pointing out to the young student the artistic possibilities that lie dormant in Hellenic marbles and Hellenic methods of work. In his judgments on the great Italian Masters, says De Quincey, "There seemed a tone of sincerity and of native sensibility, as in one who spoke for himself, and was not merely a copier from books." The highest praise that we can give to him is that he tried to revive style as a conscious tradition. But he saw that no amount of art lectures or art congresses,

or "plans for advancing the fine arts," will ever produce this result. The people, he says very wisely, and in the true spirit of Toynbee Hall, must always have "the best models constantly before their eyes."

As is to be expected from one who was a painter, he is often extremely technical in his art criticisms. Of Tintoret's "St. George delivering the Egyptian Princess from the Dragon," he remarks:—

"The robe of Sabra, warmly glazed with Prussian blue, is relieved from the pale greenish background by a vermilion scarf; and the full hues of both are beautifully echoed, as it were, in a lower key by the purple-lake coloured stuffs and bluish iron armour of the saint, besides an ample balance to the vivid azure drapery on the foreground in the indigo shades of the wild wood surrounding the castle."

And elsewhere he talks learnedly of "a delicate Schiavone, various as a tulip-bed, with rich broken tints," or "a glowing portrait, remarkable for *morbidezza* [mellowness] by the scarce Moroni," and of another picture being "pulpy in the carnations."

But, as a rule, he deals with his impressions of the work as an artistic whole, and tries to translate those impressions into words, to give, as it were, the literary equivalent for the imaginative and mental effect. He was one of the first to develop what has been called the art literature of the nineteenth century, that form of literature which has found in Mr. Ruskin and Mr. Browning its two most perfect exponents. His description of Lancret's *Repas Italien*, in which "a dark-haired girl, 'amorous of mischief,' lies on the daisy-powdered grass," is in some respects very charming. Here is his account of "The Crucifixion," by Rembrandt. It is extremely characteristic of his style:—

"Darkness—sooty, portentous darkness—shrouds the whole scene: only above the accursed wood, as if through a horrid rift in the murky ceiling, a rainy deluge—'sleety-flaw, discoloured water'—streams down amain, spreading a grisly spectral light, even more horrible than that palpable night. Already the Earth pants thick and fast! the darkened Cross trembles! the winds are dropt—the air is stagnant—a muttering rumble growls underneath their feet, and some of that miserable crowd begin to fly down the hill. The horses snuff the coming terror, and become unmanageable through fear. The moment rapidly approaches when, nearly torn asunder by His own weight, fainting with loss of blood, which now runs in narrower rivulets from His slit veins, His temples and breast drowned in sweat, and His black tongue parched with the fiery death-fever, Jesus cries, 'I thirst.' The deadly vinegar is elevated to Him.

"His head sinks, and the sacred corpse 'swings senseless of the cross.' A sheet of vermilion flame shoots sheer through the air and vanishes; the rocks of Carmel and Lebanon cleave asunder; the sea rolls on high from the sands its black weltering waves. Earth yawns, and the graves give up their dwellers. The dead and the living are mingled together in unnatural conjunction and hurry through the holy city. New prodigies await them there. The veil of the temple—the unpierceable veil—is rent asunder from top to bottom, and that dreaded recess containing the Hebrew mysteries—the fatal ark with the tables and seven-branched candelabrum—is disclosed by the light of unearthly flames to the God-deserted multitude.

"Rembrandt never *painted* this sketch, and he was quite right. It would have lost nearly all its charms in losing that perplexing veil of indistinctness which affords such ample range wherein the doubting imagination may speculate. At present it is like a thing in another world. A dark gulf is betwixt us. It is not tangible by the body. We can only approach it in the spirit."

In this passage, written, the author tells us, "in awe and reverence," there is much that is terrible, and very much that is quite horrible, but it is not without a certain crude form of power, or, at any rate, a certain crude violence of words, a quality which this age should highly appreciate, as it is its chief defect. It is pleasanter, however, to pass to this description of Giulio Romano's "Cephalus and Procris":—

"We should read Moschus's lament for Bion, the sweet

shepherd, before looking at this picture, or study the picture as a preparation for the lament. We have nearly the same images in both. For either victim the high groves and forest dells murmur; the flowers exhale sad perfume from their buds; the nightingale mourns on the craggy lands, and the swallow in the long-winding vales; 'the satyrs, too, and fauns dark-veiled groan,' and the fountain nymphs within the wood melt into tearful waters. The sheep and goats leave their pasture; and oreads, 'who love to scale the most inaccessible tops of all uprightest rocks,' hurry down from the song of their wind-courting pines; while the dryads bend from the branches of the meeting trees, and the rivers moan for white Procris, 'with many-sobbing streams,'

'Filling the far-seen ocean with a voice.'

The golden bees are silent on the thymy Hymettus; and the knelling horn of Aurora's love no more shall scatter away the cold twilight on the top of Hymettus. The foreground of our subject is a grassy sunburnt bank, broken into swells and hollows like waves (a sort of land-breakers), rendered more uneven by many foot-tripping roots and stumps of trees stocked untimely by the axe, which are again throwing out light-green shoots. This bank rises rather suddenly on the right to a clustering grove, penetrable to no star, at the entrance of which sits the stunned Thesalian king, holding between his knees that ivory-bright body which was, but an instant ago, parting the rough boughs with her smooth forehead, and treading alike on thorns and flowers with jealousy-stung foot—now helpless, heavy, void of all motion, save when the breeze lifts her thick hair in mockery.

"From between the closely-neighbour'd boles astonished nymphs press forward with loud cries—

'And deerskin-vested satyrs, crowned with ivy twists, advance;
And put strange pity in their horned countenance.'

"Laelaps lies beneath, and shows by his panting the rapid pace of death. On the other side of the group, Virtuous Love with 'vans dejected' holds forth the arrow to an approaching troop of sylvan people, fauns, rams, goats, satyrs, and satyr-mothers, pressing their children tighter with their fearful hands, who hurry along from the left in a sunken path between the foreground and a rocky wall, on whose lowest ridge a brook-guardian pours from her urn her grief-telling waters. Above and more remote than the Ephidryad, another female, rending her locks, appears among the vine-festooned pillars of an unshorn grove. The centre of the picture is filled by shady meadows, sinking down to a river-mouth; beyond is 'the vast strength of the ocean stream,' from whose floor the extinguisher of stars, rosy Aurora, drives furiously up her brine-washed steeds to behold the death-pangs of her rival."

Were this description carefully re-written, it would be quite admirable. The conception of making a prose poem out of paint is excellent. Much of the best modern literature springs from the same aim. In a very ugly and sensible age, the arts borrow, not from life, but from each other.

His sympathies, too, were wonderfully varied. In everything connected with the stage, for instance, he was always extremely interested, and strongly upheld the necessity for archæological accuracy in costume and scene-painting. "In art," he says in one of his essays, "whatever is worth doing

at all is worth doing well"; and he points out that once we allow the intrusion of anachronisms, it becomes difficult to say where the line is to be drawn. In literature, again, like Lord Beaconsfield on a famous occasion, he was "on the side of the angels." He was one of the first to admire Keats and Shelley—"the tremulously-sensitive and poetical Shelley," as he calls him. His admiration for Wordsworth was sincere and profound. He thoroughly appreciated William Blake. One of the best copies of the "Songs of Innocence and Experience" that is now in existence was wrought specially for him. He loved Alain Chartier, and Ronsard, and the Elizabethan dramatists, and Chaucer and Chapman, and Petrarch. And to him all the arts were one. "Our critics," he remarks with much wisdom, "seem hardly aware of the identity of the primal seeds of poetry and painting, nor that any true advancement in the serious study of one art co-generates a proportionate perfection in the other"; and he says elsewhere that if a man who does not admire Michael Angelo talks of his love for Milton, he is deceiving either himself or his listeners. To his fellow-contributors in the *London Magazine* he was always most generous, and praises Barry Cornwall, Allan Cunningham, Hazlitt, Elton, and Leigh Hunt without anything of the malice of a friend. Some of his sketches of Charles Lamb are admirable in their way, and, with the art of the true comedian, borrow their style from their subject:—

"What can I say of thee more than all know? that thou hadst the gaiety of a boy with the knowledge of a man: as gentle a heart as ever sent tears to the eyes.

"How wittily would he mistake your meaning, and put in a conceit most seasonably out of season. His talk without affectation was compressed, like his beloved Elizabethans,

even unto obscurity. Like grains of fine gold, his sentences would beat out into whole sheets. He had small mercy on spurious fame, and a caustic observation on the *fashion for men of genius* was a standing dish. Sir Thomas Browne was a 'bosom cronie' of his; so was Burton, and old Fuller. In his amorous vein he dallied with that peerless Duchess of many-folio odour; and with the heyday comedies of Beaumont and Fletcher he induced light dreams. He would deliver critical touches on these, like one inspired, but it was good to let him choose his own game; if another began even on the acknowledged pets he was liable to interrupt, or rather append, in a mode difficult to define whether as misapprehensive or mischievous. One night at C——'s, the above dramatic partners were the temporary subject of chat. Mr. X. commended the passion and haughty style of a tragedy (I don't know which of them), but was instantly taken up by Elia, who told him '*That* was nothing; the lyrics were the high things—the lyrics!'

One side of his literary career deserves especial notice. Modern journalism may be said to owe almost as much to him as to any man of the early part of this century. He was the pioneer of Asiatic prose, and delighted in pictorial epithets and pompous exaggerations. To have a style so gorgeous that it conceals the subject as one of the highest achievements of an important and much admired school of Fleet Street leader-writers, and this school *Janus Weathercock* may be said to have invented. He also saw that it was quite easy by continued reiteration to make the public interested in his own personality, and in his purely journalistic articles this extraordinary young man tells the world what he had for dinner, where he gets his clothes, what wines he likes, and in what state of health he is, just as if

he were writing weekly notes for some popular newspaper of our own time. This being the least valuable side of his work, is the one that has had the most obvious influence. A publicist, nowadays, is a man who bores the community with the details of the illegalities of his private life.

Like most artificial people, he had a great love of nature. "I hold three things in high estimation," he says somewhere: "to sit lazily on an eminence that commands a rich prospect; to be shadowed by thick trees while the sun shines around me; and to enjoy solitude with the consciousness of neighbourhood. The country gives them all to me." He writes about his wandering over fragrant furze and heath repeating Collins's "Ode to Evening," just to catch the fine quality of the moment; about smothering his face "in a watery bed of cowslips, wet with May dews"; and about the pleasure of seeing the sweet-breathed kine "pass slowly homeward through the twilight," and hearing "the distant clank of the sheepbell." One phrase of his, "the polyanthus glowed in its cold bed of earth, like a solitary picture of Giorgione on a dark oaken panel," is curiously characteristic of his temperament, and this passage is rather pretty in its way:—

"The short tender grass was covered with marguerites—'such that men called *daisies* in our town'—thick as stars on a summer's night. The harsh caw of the busy rooks came pleasantly mellowed from a high dusky grove of elms at some distance off, and at intervals was heard the voice of a boy scaring away the birds from the newly sown seeds. The blue depths were the colour of the darkest ultramarine; not a cloud streaked the calm æther; only round the horizon's edge streamed a light, warm film of misty vapour, against which the near village with its ancient stone church

showed sharply out with blinding whiteness. I thought of Wordsworth's 'Lines written in March.' ”

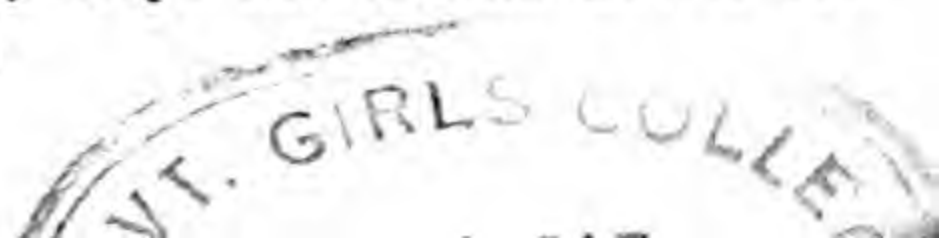
However, we must not forget that the cultivated young man who penned these lines, and who was so susceptible to Wordsworthian influences, was also, as I said at the beginning of this memoir, one of the most subtle and secret poisoners of this or any age. How he first became fascinated by this strange sin he does not tell us, and the diary in which he carefully noted the results of his terrible experiments and the methods that he adopted, has unfortunately been lost to us. Even in later days, too, he was always reticent on the matter, and preferred to speak about “The Excursion,” and the “Poems founded on the Affections.” There is no doubt, however, that the poison that he used was strychnine. In one of the beautiful rings of which he was so proud, and which served to show off the fine modelling of his delicate ivory hands, he used to carry crystals of the Indian *nux vomica*, a poison, one of his biographers tells us, “nearly tasteless, difficult of discovery, and capable of almost infinite dilution.” His murders, says De Quincey, were more than were ever made known judicially. This is no doubt so, and some of them are worthy of mention. His first victim was his uncle, Mr. Thomas Griffiths. He poisoned him in 1829 to gain possession of Linden House, a place to which he had always been very much attached. In the August of the next year he poisoned Mrs. Abercrombie, his wife's mother, and in the following December he poisoned the lovely Helen Abercrombie, his sister-in-law. Why he murdered Mrs. Abercrombie is not ascertained. It may have been for a caprice, or to quicken some hideous sense of power that was in him, or because she suspected something, or for no reason. But the murder of Helen Abercrombie was carried

out by himself and his wife for the sake of a sum of about £18,000, for which they had insured her life in various offices. The circumstances were as follows. On the 12th of December, he and his wife and child came up to London from Linden House, and took lodgings at No. 12 Conduit Street, Regent Street. With them were the two sisters, Helen and Madeleine Abercrombie. On the evening of the 14th they all went to the play, and at supper that night Helen sickened. The next day she was extremely ill, and Dr. Locock, of Hanover Square, was called in to attend her. She lived till Monday, the 20th, when, after the doctor's morning visit, Mr. and Mrs. Wainewright brought her some poisoned jelly, and then went out for a walk. When they returned Helen Abercrombie was dead. She was about twenty years of age, a tall graceful girl with fair hair. A very charming red-chalk drawing of her by her brother-in-law is still in existence, and shows how much his style as an artist was influenced by Sir Thomas Lawrence, a painter for whose work he had always entertained a great admiration. De Quincey says that Mrs. Wainewright was not really privy to the murder. Let us hope that she was not. Sin should be solitary, and have no accomplices.

The insurance companies, suspecting the real facts of the case, declined to pay the policy on the technical ground of misrepresentation and want of interest, and, with curious courage, the poisoner entered an action in the Court of Chancery against the Imperial, it being agreed that one decision should govern all the cases. The trial, however, did not come on for five years, when, after one disagreement, a verdict was ultimately given in the companies' favour. The judge on the occasion was Lord Abinger. *Egomet Bonmot* was represented by Mr. Erle and Sir William Follet, and the Attorney-General and Sir Frederick

Pollock appeared for the other side. The plaintiff, unfortunately, was unable to be present at either of the trials. The refusal of the companies to give him the £18,000 had placed him in a position of most painful pecuniary embarrassment. Indeed, a few months after the murder of Helen Abercrombie, he had been actually arrested for debt in the streets of London while he was serenading the pretty daughter of one of his friends. This difficulty was got over at the time, but shortly afterwards he thought it better to go abroad till he could come to some practical arrangement with his creditors. He accordingly went to Boulogne on a visit to the father of the young lady in question, and while he was there induced him to insure his life with the Pelican Company for £3000. As soon as the necessary formalities had been gone through and the policy executed, he dropped some crystals of strychnine into his coffee as they sat together one evening after dinner. He himself did not gain any monetary advantage by doing this. His aim was simply to revenge himself on the first office that had refused to pay him the price of his sin. His friend died the next day in his presence, and he left Boulogne at once for a sketching tour through the most picturesque parts of Brittany, and was for some time the guest of an old French gentleman, who had a beautiful country house at St. Omer. From this he moved to Paris, where he remained for several years, living in luxury, some say, while others talk of his "skulking with poison in his pocket, and being dreaded by all who knew him." In 1837 he returned to England privately. Some strange mad fascination brought him back. He followed a woman whom he loved.

It was the month of June, and he was staying at one of the hotels in Covent Garden. His sitting-room was on the ground floor, and he prudently kept the blinds down for



fear of being seen. Thirteen years before, when he was making his fine collection of majolica and Marc Antonios, he had forged the names of his trustees to a power of attorney, which enabled him to get possession of some of the money which he had inherited from his mother, and had brought into marriage settlement. He knew that this forgery had been discovered, and that by returning to England he was imperilling his life. Yet he returned. Should one wonder? It was said that the woman was very beautiful. Besides, she did not love him.

It was by a mere accident that he was discovered. A noise in the street attracted his attention, and, in his artistic interest in modern life, he pushed aside the blind for a moment. Some one outside called out, "That's Wainewright, the Bank-forgery." It was Forrester, the Bow Street runner.

On the 5th of July he was brought up at the Old Bailey. The following report of the proceedings appeared in the *Times*:—

"Before Mr. Justice Vaughan and Mr. Baron Alderson, Thomas Griffiths Wainewright, aged forty-two, a man of gentlemanly appearance, wearing mustachios, was indicted for forging and uttering a certain power of attorney for £2259, with intent to defraud the Governor and Company of the Bank of England.

"There were five indictments against the prisoner, to all of which he pleaded not guilty, when he was arraigned before Mr. Serjeant Arabin in the course of the morning. On being brought before the judges, however, he begged to be allowed to withdraw the former plea, and then pleaded guilty to two of the indictments which were not of a capital nature.

"The counsel for the Bank having explained that there were three other indictments, but that the Bank did not desire to shed blood, the plea of guilty on the two minor charges was recorded, and the prisoner at the close of the session sentenced by the Recorder to transportation for life."

He was taken back to Newgate, preparatory to his removal to the colonies. In a fanciful passage in one of his early essays he had fancied himself "lying in Horsemonger Gaol under sentence of death" for having been unable to resist the temptation of stealing some Marc Antonios from the British Museum in order to complete his collection. The sentence now passed on him was to a man of his culture a form of death. He complained bitterly of it to his friends, and pointed out, with a good deal of reason, some people may fancy, that the money was practically his own, having come to him from his mother, and that the forgery, such as it was, had been committed thirteen years before, which, to use his own phrase, was at least a *circonstance attenuante* [an attenuating circumstance]. The permanence of personality is a very subtle metaphysical problem, and certainly the English law solves the question in an extremely rough-and-ready manner. There is, however, something dramatic in the fact that this heavy punishment was inflicted on him for what, if we remember his fatal influence on the prose of modern journalism, was certainly not the worst of all his sins.

While he was in gaol, Dickens, Macready, and Hablot Browne came across him by chance. They had been going over the prisons of London, searching for artistic effects, and in Newgate they suddenly caught sight of Wainwright. He met them with a defiant stare, Forster tells us,

but Macready was "horrified to recognise a man familiarly known to him in former years, and at whose table he had dined."

Others had more curiosity, and his cell was for some time a kind of fashionable lounge. Many men of letters went down to visit their old literary comrade. But he was no longer the kind light-hearted Janus whom Charles Lamb admired. He seems to have grown quite cynical.

To the agent of an insurance company who was visiting him one afternoon, and thought he would improve the occasion by pointing out that, after all, crime was a bad speculation, he replied: "Sir, you City men enter on your speculations, and take the chances of them. Some of your speculations succeed, some fail. Mine happen to have failed, yours happen to have succeeded. That is the only difference, sir, between my visitor and me. But, sir, I will tell you one thing in which I have succeeded to the last. I have been determined through life to hold the position of a gentleman. I have always done so. I do so still. It is the custom of this place that each of the inmates of a cell shall take his morning's turn of sweeping it out. I occupy a cell with a bricklayer and a sweep, but they never offer me the broom!" When a friend reproached him with the murder of Helen Abercrombie he shrugged his shoulders and said, "Yes; it was a dreadful thing to do, but she had very thick ankles."

From Newgate he was brought to the hulks at Portsmouth, and sent from there in the *Susan* to Van Diemen's Land along with three hundred other convicts. The voyage seems to have been most distasteful to him, and in a letter written to a friend he spoke bitterly about the ignominy of "the companion of poets and artists" being compelled to associate with "country bumpkins." The phrase that he

applies to his companions need not surprise us. Crime in England is rarely the result of sin. It is nearly always the result of starvation. There was probably no one on board in whom he would have found a sympathetic listener, or even a psychologically interesting nature.

His love of art, however, never deserted him. At Hobart Town he started a studio, and returned to sketching and portrait-painting, and his conversation and manners seem not to have lost their charm. Nor did he give up his habit of poisoning, and there are two cases on record in which he tried to make away with people who had offended him. But his hand seems to have lost its cunning. Both of his attempts were complete failures, and in 1844, being thoroughly dissatisfied with Tasmanian society, he presented a memorial to the governor of the settlement, Sir John Eardley Wilmot, praying for a ticket-of-leave. In it he speaks of himself as being "tormented by ideas struggling for outward form and realisation, barred up from increase of knowledge, and deprived of the exercise of profitable or even of decorous speech." His request, however, was refused, and the associate of Coleridge consoled himself by making those marvelous *Paradis Artificiels* whose secret is only known to the eaters of opium. In 1852 he died of apoplexy, his sole living companion being a cat, for which he had evinced an extraordinary affection.

His crimes seem to have had an important effect upon his art. They gave a strong personality to his style, a quality that his early work certainly lacked. In a note to the *Life of Dickens*, Forster mentions that in 1847 Lady Blessington received from her brother, Major Power, who held a military appointment at Hobart Town, an oil portrait of a young lady from his clever brush; and it is said that "he had contrived to put the expression of his own wickedness

into the portrait of a nice, kind-hearted girl." M. Zola, in one of his novels, tells us of a young man who, having committed a murder, takes to art, and paints greenish impressionist portraits of perfectly respectable people, all of which bear a curious resemblance to his victim. The development of Mr. Wainewright's style seems to me far more subtle and suggestive. One can fancy an intense personality being created out of sin.

This strange and fascinating figure that for a few years dazzled literary London, and made so brilliant a *début* in life and letters, is undoubtedly a most interesting study. Mr. W. Carew Hazlitt, his latest biographer, to whom I am indebted for many of the facts contained in this memoir, and whose little book is, indeed, quite invaluable in its way, is of opinion that his love of art and nature was a mere pretence and assumption, and others have denied to him all literary power. This seems to me a shallow, or at least a mistaken, view. The fact of a man being a poisoner is nothing against his prose. The domestic virtues are not the true basis of art, though they may serve as an excellent advertisement for second-rate artists. It is possible that De Quincey exaggerated his critical powers, and I cannot help saying again that there is much in his published works that is too familiar, too common, too journalistic, in the bad sense of that bad word. Here and there he is distinctly vulgar in expression, and he is always lacking in self-restraint of the true artist. But for some of his faults we must blame the time in which he lived, and, after all, prose that Charles Lamb thought "capital" has no small historic interest. That he had a sincere love of art and nature seems to me quite certain. There is no essential incongruity between crime and culture. We cannot re-write the whole of

history for the purpose of gratifying our moral sense of what should be.

Of course, he is far too close to our own time for us to be able to form any purely artistic judgment about him. It is impossible not to feel a strong prejudice against a man who might have poisoned Lord Tennyson, or Mr. Gladstone, or the Master of Balliol. But had the man worn a costume and spoken a language different from our own, had he lived in imperial Rome, or at the time of the Italian Renaissance, or in Spain in the seventeenth century, or in any land or any century but this century and this land, we would be quite able to arrive at a perfectly unprejudiced estimate of his position and value. I know that there are many historians, or at least writers on historical subjects, who still think it necessary to apply moral judgments to history, and who distribute their praise or blame with the solemn complacency of a successful schoolmaster. This, however, is a foolish habit, and merely shows that the moral instinct can be brought to such a pitch of perfection that it will make its appearance wherever it is not required. Nobody with the true historical sense ever dreams of blaming Nero, or scolding Tiberius, or censuring Cæsar Borgia. These personages have become like the puppets of a play. They may fill us with terror, or horror, or wonder, but they do not harm us. They are not in immediate relation to us. We have nothing to fear from them. They have passed into the sphere of art and science, and neither art nor science knows anything of moral approval or disapproval. And so it may be some day with Charles Lamb's friend. At present I feel that he is just a little too modern to be treated in that fine spirit of disinterested curiosity to which we owe so many charming studies of the great criminals of the Italian Renaissance from

the pens of Mr. John Addington Symonds, Miss A. Mary F. Robinson, Miss Vernon Lee, and other distinguished writers. However, Art has not forgotten him. He is the hero of Dickens's *Hunted Down*, the Varney of Bulwer's *Lucretia*; and it is gratifying to note that fiction has paid some homage to one who was so powerful with "pen, pencil and poison." To be suggestive for fiction is to be of more importance than a fact.

* * * * *

Late in 1941 a comprehensive exhibition of Australian art, sponsored by the Commonwealth of Australia, was displayed in the National Gallery of Art in Washington and later circulated among American museums by the Museum of Modern Art. "Among the most interesting of the exhibits shown," according to a prominent critic, "is an exquisite portrait in water color of a Mrs. Wilson, by Thomas Griffiths Wainewright."—A. B.

1841: *THE MURDER OF MARY CECILIA ROGERS*
BY X

THE MURDER OF MARY CECILIA ROGERS

by Russel Crouse

THE untimely and untidy doing in of Mary Cecilia Rogers, "the beautiful cigar girl," has achieved the distinction of a *cause célèbre* chiefly through the grim and trenchant pen of Mr. Edgar Allan Poe. Prompted either by the sheer fascination of the baffling facts of the matter or an indolence which seized upon ready-made mystery, the most eminent of all the masters of the enigma bequeathed to posterity in "The Mystery of Marie Roget" enough of the case to make it an ever-recurring topic of literary conversation.

It is a fairly remote business to thumb through the deductive pages of Mr. Poe's story in this year of 1932 and speculate, even as the author did, upon the events leading up to the tragedy. But it was very different in the far-away year of 1841. For then Marie Roget was not yet a figment of a brooding imagination and Mary Cecilia Rogers was very real. She was real and she was dead. And if you had listened in the coffee houses you would have heard little else but her lilting name and the picturesque, if not altogether accurate, postulations of great and small as to how she came to her unhappy end.

That the whole nation was not a-murmur with the news of the murder of Mary Rogers was perhaps the fault of

Prof. S. F. B. Morse. He had given up his painting, to be sure, and was hard at work on his invention, the magnetic telegraph, but he wasn't to perfect it to the point where he could send such salty morsels skipping along the wires that were soon to be strung from town to town.

But it was enough that New York knew about it and could shudder at its horrible details. Wasn't New York, with its three hundred thousand souls, the metropolis of the Union? Boston had more erudition to the square inch, perhaps, and Philadelphia took pride in its aristocracy, but New York was "the great commercial emporium." Even Mr. Dickens, coming all the way from London to see it a year later, was to be amazed by its "wide and bustling" Broadway, its whirling hackney cabs and tilburies, its noisy chimney sweeps and oystermen, its "expensively dressed women" and their fashionable beaux. Of course he was mean enough to go back home and complain, mildly enough, of the fact that there were pigs in the streets, but he was impressed.

Yes, New York was the biggest and the busiest city in a new world, but there wasn't one member of its vast population who was too busy to gossip a bit about this new horror. The conversation at Niblo's Garden might start with Fanny Ellsler—the divine Fanny—but it would get around sooner or later to Mary Rogers. The two gentlemen in Byron collars might begin with Mr. Tyler, who had moved into the White House now that old General Harrison, the hero of Tippecanoe, was dead, but they would veer round to the beautiful cigar girl in the end. The good housewife might be deep in *Godey's Lady's Book* when the head of the house came home from work, but she would be sure to ask whether or not there was any trace of the murderer before the night was out.

But for all this multiloquence there wasn't much that could be said with authority. The facts of the matter were never more than few. Perhaps that was why there were so many rumors. These rose and spread and grew in such abundance that when the methodical Mr. Poe came at last to put things down black on white he found himself using up half his foolscap just disposing of the mildew of myth that had sprung up in a long night of speculation.

All that is authentic in the strange case can be told as simply now as it could have been then. Mary Cecilia Rogers was a girl of twenty-one, whose beauty must have been more than passing, although the only picture of her I have been able to find evidently fails to reflect all of her charm in this respect. Her dark smile, which is said to have been irresistible, perhaps was difficult to recapture.

It was this smile which had caught the eye of John Anderson, a canny tobacconist, a few years before. Sensing its irresistibility, and, incidentally, translating it into dollars and cents, he had placed the girl behind the cigar counter in his shop on Broadway near Thomas Street, and with gratifying results. Business had picked up immediately. Almost any man is a fool for a pretty face, as the saying goes, and Mr. Anderson's cigars were probably as good as the next shop's, where a none-too-handsome old gentleman with a straggly beard was his own salesman.

"The beautiful cigar girl" soon became something of a town character. It is reported that Mr. Fitz-Greene Halleck wrote a poem to her loveliness. Mr. Poe's subsequent interest in her demise may be traced partly to the fact that he had been one of her admiring customers. Mr. James Fenimore Cooper often took a few moments off from *belles*, as the saying goes, *lettres* to chat with her, and even Mr. Washington Irving, who was on his next to last legs, hob-

bled in now and again to buy a cigar that perhaps he did not really need.

These, however, were just the celebrities. They were not alone among her admirers by any means. The gamblers who loafed on the Broadway corners until time to gather at the faro tables knew her, and the gay blades of an increasingly conventional society, who were just beginning to go in for white gloves and such, were numbered, too, among her casual friends. Let it be said now, as it was then, that she knew how to handle them all. She had a pleasant word for everyone but it didn't go beyond that. It was Mr. Anderson who walked home with her every night, for she and her mother had rooms at her employer's house. Apparently she did not permit romance to raise its ugly head in the cigar business.

And then one day she was gone. She had left Mr. Anderson's house on an errand and had failed to return. Her mother was frankly worried and Mr. Anderson, although he took her place at the counter with a commercially cheery smile, was obviously disturbed. In a week she was back, with the explanation that she had felt tired and had gone to the country to rest with some relatives.

Her mother evidently accepted this explanation and so did Mr. Anderson. But with the Broadway boys it was as it would be now. She was too pretty to escape rumors. There were many of them. The most persistent was that she had gone off for a week with a handsome naval officer. There were some, too, who expressed the belief that the whole business had been arranged with the connivance of Mr. Anderson to attract attention to his cigar store.

However, if it was what we might call today a "publicity stunt," it was hardly worth the effort on the part of Mr. Anderson, for within a few weeks after her return she left

his employ for good and all. It was explained that Mary's brother who had gone to sea several years before had made a strike of some kind in South America and had come back with his pockets filled with gold. He bought his mother a house at 126 Nassau Street, which she converted into a boarding house. She was old and infirm and it was necessary that Mary help her in this new undertaking. So Mr. Anderson's cigars lost Mary—and some of their popularity.

Once the girl and her mother had started upon this new venture the brother went off to sea again and Mary settled down to a simpler life. The boarding house was never a great success. The paying guests were few enough, and it is necessary to remember only two of them to see the story through to the end.

One of these was Alfred Crommelin, a rather attractive young man who was more interested in Mary than in the table set by Mrs. Rogers. He did not conceal his regard for her. But Mary evidently did not return his affections. She was pleasant enough to him but that was not enough. Mr. Crommelin was a sensitive soul. If he could not be dear to Mary as well as near, he did not want to be near. So he moved away. He couldn't go, however, without his little scene. When he said his farewell he told the girl, possibly in a theatrical little speech which he had rehearsed before his mirror, that if she ever changed her mind or if she ever was in trouble and needed him she should come to him. And, for good measure, he told her mother, too.

Among the boarders also was Daniel Payne. Just why Mary, with all the beaux of the town to choose from, should have been attracted to Mr. Payne is something of a mystery. It wasn't a question of money, for he had very little. He was a cork cutter by trade but he evidently had little liking for work and wasn't steady at it. He much preferred

his drinking, at which he had developed no little efficiency. When Mary walked out, which was seldom, it was with Payne. It subsequently developed that she was never known to leave the house with anyone else as an escort. In fact it was reported that she had pledged herself to marry him, and in those conventional days a maid, once betrothed, was rarely, if ever, seen in public with any but her fiancé.

On Sunday morning, July 25th, Mary knocked at Payne's door and told him that she was going to the home of her cousin, Mrs. Downing, in Jane Street. There was nothing unusual in the announcement. She had made the call many times. Payne was shaving at the moment and, without leaving his mirror, called out from the corner of his mouth that he would, as usual, meet the stage that brought her back to Broadway and Ann Street at about seven o'clock that evening.

It turned out to be a miserably torrid summer day, "the hottest," according to Monday's *Herald*, "we have ever experienced." It was ninety-three in "the coolest place in the city," wherever that was, and one elderly gentleman, who evidently couldn't find it, was stricken with "coup de soleil," which would be sunstroke to you. Payne spent the long afternoon meandering about the lower part of the city, stopping here and there for a drink.

When evening came on there were unmistakable signs of an impending, and welcome, storm. As seven o'clock approached, Payne came to the conclusion that Mary would not even venture from her cousin's tight roof into the ominous beclouded calm and so did not make an effort to meet the stage as he had promised.

Shortly before nine o'clock the deluge came, with thunder and lightning for good measure, and feeling certain now that Mary would spend the night at her cousin's he

went to bed. She had not returned when he left the house in the morning but he thought little of that. When, however, he came back to dinner at noon and found her still missing, he was concerned and set out for Mrs. Downing's. He was met at the front door with the news that she had not been there at all!

Alarmed by this time he began a search for her. There were few enough places she might be and she was at none of these. Her mother, infirm, could not participate in the search and could offer little assistance in the way of advice. When the day was spent and there was no trace of her, Payne placed an advertisement in the *Sun*, the most widely read of the penny papers, reporting her disappearance, and asking for any information that anyone might have as to her whereabouts.

Alfred Crommelin read the advertisement next day. He recalled that on Saturday when he had returned from dinner he had found on the slate which was posted outside his office door for messages the name of Mary's mother, written in Mary's handwriting. In the keyhole there was a rose. This sentimental gesture might have been expected to arouse the whilom swain, but he was still smouldering under the earlier rebuff and did nothing about it. But when he saw the advertisement he became conscience-stricken, perhaps with the thought that Mary had sought his aid in trouble, and began his own search for her.

It took him on Wednesday morning to Hoboken, which was not so strange as it seems to those of you who know the Hoboken of today. In the '40's this New Jersey faubourg was "beautiful, rosy Hoboken," a spot of sylvan loveliness, which afforded a magnificent view of the city and the bay. Its "Elysian Fields" had charming lanes and shady arbors. There were picnic grounds and refined amusements and

there were public houses where a man could sip his sherry cobbler while a maid nibbled at an ice. Steamboats took harried New Yorkers to its shore of a Sunday and there they whiled away an idle day.

Mr. Crommelin, it seems, suspected that Mary might have decided to give herself a good time, although he probably was a little shocked at the thought of her having gone to Hoboken unescorted. He had made a few inquiries for her here and there when he was attracted by a commotion on the shore near Sybil's Cave, a cool spot hewn out of the solid rock where the Sunday throngs bought spring water at a penny a glass and beer at a little more.

Hurrying to the scene Mr. Crommelin found three men in a boat, towing ashore the body of a young girl which they had found floating in the river. The face was mutilated beyond recognition, but the little blue dress and the bonnet with its ribbons still tied and hanging loose about her neck told Mr. Crommelin at once that it was Mary. That she had been murdered there was no question. A strip of lace torn from an underskirt was tied tight about her neck and there were cords about her wrists.

It was again a beastly hot day and it was considered important that all that remained of Mary Rogers should be buried as soon as possible, so they carried her into the little town of Hoboken and held a hasty autopsy. Crommelin identified her. Dr. Richard Cook examined her and reported that she had been "cruelly assaulted" by one or more men and that prior to that assault she had been what is known as "a good girl." There were the usual official formalities, hastily attended to, and, these over, her body was buried in Hoboken. Mr. Crommelin hurried back to Mary's mother with a flower from her hat and a strip of her pan-

talettes from which his identification was confirmed with tears and then more tears.

Here, then, was New York's third great murder mystery with a lovely young girl as its victim and the town talking of little else. "Who killed Mary Rogers?" That was the question that everyone asked of everyone else. And it would seem, from all that happened subsequently, that everyone but the police sought the answer.

At first there arose the question of jurisdiction. The minions of New York declared that Mary Rogers had been killed in New Jersey and that the solution of her murder was up to the officials of that state. Their answer was that Mary Rogers had been slain in New York and her body thrown into the river to float to the Jersey shore. But even when the newspapers of New York pointed out, with bitter emphasis, that Mary Rogers was a resident of New York and that, no matter where the crime was actually committed, the law under which she had lived should do all that was possible to avenge her, there was little activity.

New York's police system, at the moment, was in a sad state that did not make for efficiency. Fundamentally, the city was still under the somewhat dubious protection of the "leatherheads" who walked the streets at night crying out the hour so lustily as to warn any caitiffs that might be engaged in dirty work of their approach. To these night watchmen had been added a day force of "roundsmen," who were detectives in that they wore no helmets to permit their ready identification but who were utterly unschooled in the science of criminology. They were, for the most part, recruited from the ranks of unsuccessful stevedores, cartmen, porters, and laborers.

The watchmen were woefully underpaid, receiving only

a little more than \$1 a night, and the roundsmen were not paid at all, being dependent upon the fees which they received for serving papers and the rewards they might collect from citizens who sought to recover stolen property. Thus many of them had formed alliances with thieves. The partnerships worked in this way: the criminal would, under the protection of the officer, commit a robbery, the victim would offer a reward for the return of the loot, the roundsman would return it and divide the reward with the thief. It did not make for law and order.

Under this system murder was a crime which did not interest the police to any great extent. So when the body of Mary Rogers was found the roundsmen shrugged their shoulders. They would have had to pay their own expenses in any investigation they undertook. A reward might have spurred them but the governors of New Jersey and New York showed no disposition to offer one. Weeks later a committee of citizens, at an indignation meeting, subscribed \$500 for the apprehension of the murderer and Governor Seward, thus shamed, offered a state reward of \$750, but it was too late then to do much good.

From the start the solution was left largely to idle tongues and they made the most of it. If there was no one to ferret out real clues there were plenty to start false ones. The first of these was a report, published at the time of the discovery of the body, that upon leaving her home that scorching Sunday morning Mary had met "a young man with whom she apparently was acquainted" at Theater Alley, a lane branching off Ann Street near Broadway which once led to the stage door of the Park Theater, and had proceeded with him toward Barclay Street as if to go to Hoboken. Where this report started is a complete mystery, for no one was ever found who had seen such a meeting.

Came then a Mrs. Loss, of Hoboken, with a story that Mary and a beau had stopped on Sunday afternoon at her refreshment house for a lemonade and had wandered off into the shady lanes of the Elysian Fields. Came also a Mr. Adams, a stage driver, with the story that he had picked up Mary and "a tall dark man" at the Bull's Head ferry and driven them to the pleasure grounds of Hoboken.

Came also two gentlemen who had been strolling on the Hoboken shore that Sunday afternoon when a rowboat containing six young men and "the beautiful cigar girl" had pulled up. All had alighted and the girl had skipped merrily into the woods with her plenteous escort. A moment later another rowboat containing three young men had drawn up. These three had asked the two gentlemen whether they had seen a girl and six men. They replied that they had and that they had gone into the woods. Had the girl gone willingly? the three wanted to know. She had. Whereupon, according to one of the gentlemen, the three had followed the seven into the woods. However, according to the other, the three had got back into their rowboat and set off again for the New York side. For all that came of it, it doesn't make much difference which was right.

There were theories of jealousy, but although there were many who might have envied Payne his place in the affections of the erstwhile saleslady of cigars there was none who had betrayed a passion so violent that it might turn from love to hate and murder. There were theories of robbery, too, for Mary's rings were gone, but they were pitiful little trinkets worth only a few dollars at most.

There were stories that the girl had been a victim of one of the groups of young roisterers who often, on Sunday afternoons, had annoyed young ladies at the beaches by trying to peek into their bathhouses. An anonymous pam-

phlet which was given wide circulation, at a penny a copy, openly accused a group of young gamblers who made a Broadway corner near Mr. Anderson's cigar store their hangout and addressed flip remarks to any girl who passed by unescorted.

The darkest of all the explanations was based upon an unverified story that Mary was last seen on Greenwich Street near the shadowy establishment of Mme. Restell. This would have given the lie to Dr. Cook's optimistic theory of the girl's good name, for Mme. Restell's shuttered residence was called "the mansion built on baby skulls" and she was known to the police, and many a fashionable but not maternally ambitious lady, as an abortionist.

All of these suspicions were vague at best and went from lip to lip only to disappear into the vapor of a great buzz of conversation. But there were others less nebulous that were run to earth in a half-hearted way by an indifferent police. Naturally, the first substantial shadow fell on Payne. The newspapers decided he had behaved in an "unloverlike" manner. But Payne, a little the worse for a consoling cup, appeared at the office of the police justice with a complete accounting for every moment of the dreadful day. Crommelin, the victim of similar whispers, also was able to clear himself with a complete alibi.

When, as a result of public demand, the body of Mary was exhumed and brought back to lie for days in the Death House in New York, it was discovered that a strip of skirt had been tied about her waist evidently to aid the murderer in throwing her body into the river and that this was tied in a sailor's knot. The police went snooping about the waterfront and brought in one William Kukuck, a sailor from North Carolina, who had known Mary a year before. It was

said that there were stains on his trousers that might be blood and that he had been in a great hurry to get aboard his ship late the night of July 25th. But he was held only for a day and satisfied the authorities that he had not seen the girl since June.

There was another great flurry when it was found that a Mr. Joseph M. Morse, a wood engraver of 129 Nassau Street, not far from Mary's home, had disappeared the morning the body was discovered after appearing at his home in a great fright and giving his wife a good beating. He had been seen on the street that Sunday afternoon with a young girl, which did not make things any better for him.

He was traced to a little town near Worcester, Mass., where he was found living under an assumed name. In his pocket was a letter from one of his clerks advising him to shave off his elegant black whiskers and to stay away as long as possible. When he was led trembling back to town the indignant citizenry was prepared to make a victim of him.

Mr. Morse admitted that he had been out with a young lady on the Sunday in question and that he had fled the city because he believed that young lady to be Mary Rogers. But he was sure he had not murdered her. He had taken her to Staten Island and, by manipulating his watch, caused her to miss the last ferry back. Then he had taken her to a hotel. But she had resisted his advances and he had left her the next morning peevish with frustration.

A likely story! But before a noose could be made officially for the gentleman's neck the girl herself came forward to confirm the account as given by Mr. Morse and to prove that she wasn't Mary Rogers. She was more than a little proud of herself for having resisted his attentions. Reluctantly the authorities let their victim go and Mr. Morse

was no worse for the experience except that it took him some weeks to square himself with his wife and even longer to grow a new set of whiskers.

And so went each clue to the murder of Mary Rogers. In late September two sons of Mrs. Loss, out gathering sassafras bark, came upon a clearing in the woods and found there signs of a struggle and, under heavy mildew, a silk scarf, a white petticoat, a parasol, and a linen handkerchief with the initials "M. R." They were all identified as having belonged to the murdered girl, but if this was the spot of the actual murder it was too late to trace even the footprints that might have led from it.

In this very thicket some two weeks later was found the body of Daniel Payne. It was thought at first that he had taken his own life and that a guilty conscience had driven him to it. But Payne's alibi held as firmly in death as it had in life, and a medical examination showed that if he had committed suicide it was through the indirect method of drinking himself into this grassy grave he chose. From the moment his fiancée had been taken from him he had haunted the public houses, staggering out each night filled with rum and self-pity.

Through the years there have been echoes of the case, with Mr. Poe's, of course, the most reverberant. "The Mystery of Marie Roget" appeared the year after the pretty cigar girl's death. It is a brilliant study in the repudiation of false clues, a fascinating document in the field of pseudo-criminology. But as an actual aid in the solution of the crime it is of no more use than the less literary contributions of the stupid and bungling police of the day. For Poe's ratiocination stems from untrustworthy and highly controvertible rumor rather than from fact.

Those who are familiar with his story know that he takes

the crime to Paris. Mary Rogers becomes, simply enough, Marie Roget. Payne is Saint-Eustache, Crommelin is Beauvais, the Rue Pavée-Saint-Andrée is Nassau Street, and the Barrière du Roule is Hoboken. With splendidly deductive discernment Poe rejects most of the rumored theories of the murder and then, for no reason that he could have defended had he been a police officer, he reaches back into the girl's past to base his whole case on an unsubstantiated bit of gossip.

It will be remembered that on the occasion of Mary's first disappearance she was reported to have "eloped" with a naval officer. There was never, so far as is known, the slightest proof of this Broadway supposition. But Poe accepts it as a fact and assumes that this young man returned months later to do her to death. His motive is only vaguely implied by the writer. He rests his whole case on the story that a sailboat was found floating in the river next day, that it was towed to the barge office, and that it disappeared strangely with only its rudder left behind. Find the boat that goes with the rudder, said Mr. Poe. Find the check that went with the story, say I. But then, all is fair in fiction, perhaps, and the author seems to have made no claim to any purpose other than gruesome entertainment.

His editors, however, in a footnote appended later, pretend, at least, to believe that his conclusions were confirmed "in full" by two confessions. One of these undoubtedly was that of Mrs. Loss, who is reported to have revealed on her deathbed that the clothes found in the thicket were "planted" and that Mary's death resulted from an illegal operation. The coroner didn't seem to think so and he examined the body. The other confession is not identified, but may have been that of a gentleman signing himself "Wallace" in an elaborate pamphlet printed some time afterward. The

"confession" business was something of a racket in those days. Whenever an unscrupulous publisher needed a dishonest penny he brought out the story of a widely known crime in confessional form. Some of our modern magazines have revived the trick. But Mr. Wallace wasn't much of a ghost writer. He couldn't even keep his dates and places straight, and if he killed Mary Rogers I started the war.

Many years later when Mme. Restell decided to end her harassed life by committing suicide in her expensive bathtub, the case was revived again by the newspapers and the gossipers, and the blame for the murder conveniently placed upon her cold shoulders. But again without proof. Still later John Anderson, the cigar store man, departed this life at a ripe old age. His relatives told their friends that he had known who murdered Mary Rogers. But when the police looked into it they found that Mr. Anderson got his information from Mary's ghost, which had come to him one night and told him all about how she was murdered. A nice little bedtime story. Naturally such a message was confidential and he couldn't repeat it. Naturally, too, in his late eighties Mr. Anderson was a trifle senile.

Perhaps there were other stories, too. When a murder is unsolved, officially, it is usually solved, unofficially, by every idle imagination. There must have been hundreds of versions that did not even get the dignity of type and have not been handed down as lore. But they came to nothing, of course. Who killed Mary Rogers? It was a burning question ninety years ago. Today it is an academic one. But it is still unanswered.

* * * * *

The momentarily final word on the subject of Poe's success as a detective is the article "Poe and the Mystery of Mary

Rogers" by William Kurtz Wimsatt, Jr. of Yale University (Publications of the Modern Language Association, March, 1941). There the curious reader whose eyes do not shudder away from a text two-thirds footnotes may learn that it is indeed possible that there was such a naval officer and that if he should have left a confession Poe then would be triumphantly exonerated. The question today is, as Mr. Crouse justly observes, an academic one.—A. B.

1849: *THE MURDER OF DR. GEORGE PARKMAN*
BY PROFESSOR JOHN WHITE WEBSTER

AMERICA'S CLASSIC MURDER
OR
THE DISAPPEARANCE OF DOCTOR
PARKMAN

by Edmund Pearson

Doctor Parkman was walking—rapidly, as usual—through the streets of Boston, on his way to keep an appointment.

He wore a black frock coat and trousers, a purple silk vest, black stock, and high hat, and his lean figure would have made him noticeable, even if his peculiar countenance had not attracted attention by itself. Boys pointed him out to other boys:

“There goes Doctor Parkman!”

Women who passed him on the street went home and told their families that they had seen “Chin.” The Doctor had a protruding lower jaw, and his mouth was fitted with some conspicuous false teeth. That chin was not meaningless; he was a determined man, on his way to put an end to a long-drawn-out and vexatious business affair. Plainly there was going to be trouble for someone.

Doctor Parkman was always in a hurry, and today he was in more of a hurry than ever. He was so impatient a man, says one account, that when riding he would sometimes

leave his horse in the street, and hurry ahead on foot. This morning he had been at the Merchants' Bank on State Street, and at various other places. He bought a lettuce for his invalid daughter, and left it in a bag at Holland's grocery at the corner of Blossom and Vine streets, where he said he would soon return. Then he pushed on to his appointment, at half-past one, at the Medical College. He must get this business over, and return promptly to his dinner at half-past two—for this was the year 1849, when gentlemen dined early in the afternoon. He hoped that to-day Professor Webster would really do something to settle this infernal debt and cease putting him off with evasions, excuses, and subterfuges.

Professor Webster! The name was enough to make Doctor Parkman snarl. This was a man who held a lectureship in a medical college built on land which he—Doctor Parkman—had provided. The Parkman Chair of Anatomy in the College—occupied by Oliver Wendell Holmes—was named in Doctor Parkman's honour, as acknowledgment of the gift. And here was Webster, twice a professor, since he was also Erving Professor of Chemistry and Mineralogy at Harvard, and yet he was nothing but a defaulting, dishonourable debtor! Doctor Parkman had told him as much to his face, and to make sure that Professor Webster should be in no doubt about it, had sent him a message to the same effect within a week.

Doctor Parkman had cause to be indignant. Professor Webster, who had quickly run through the fortune inherited from his father, liked to live well and to entertain his friends. Even in Cambridge, and at that date, it was not easy to do this—and incidentally to support a wife and three daughters—on the \$1,200 a year which the University paid him, with a slender addition from the sale of tickets

for his lectures at the Medical College. Seven years earlier, Parkman had lent Webster \$400, taking a note secured by the mortgage of some personal property. In 1847, when the loan was not fully repaid, Doctor Parkman had been one of a group of men to lend the Professor a larger sum, taking this time a note for \$2,432, secured by a mortgage of all Webster's personal property, including his household furniture and his cabinet of minerals. The next year, Professor Webster, still embarrassed for lack of money, went to Doctor Parkman's brother-in-law, Robert Gould Shaw, told a pathetic tale of sheriffs and attachments, and prevailed upon that gentleman to buy the cabinet of minerals for \$1,200—omitting all mention of the fact that this collection was already in pawn to Doctor Parkman. The transaction happened to come out in conversation between the brothers-in-law, and Doctor Parkman was furious.

"Those minerals are not his to sell," he exclaimed; "I have a mortgage on them, and I can show it to you!"

The Doctor was prompt and punctilious, and he expected others to be like him. He began to pursue the Professor for the debt I do not know whether the story is true that he used to come to Webster's lectures, sit in the front row, glare at the unhappy man, and confuse him by the sight of that prognathous jaw and those shining teeth. Webster, in the months to come, did all he could to represent Parkman as an overbearing and violent persecutor of a struggling scholar, and it may be that this was merely his corroborative detail. He furnished a great amount of corroborative detail, once started, and some of it was like Pooh Bah's description of the execution of Nanki Poo, everything added for the sake of artistic verisimilitude. But Doctor Parkman certainly moved upon another source of Webster's income—the sale of lecture tickets—and after he had been

fobbed off once more, threatened legal processes to get at this source of cash. On Monday night of this week he had called at the Massachusetts Medical College. Here is the scene and here is the interview, as they were described by Littlefield, the janitor.

It was in Doctor Webster's back private room. It was somewhat dark in that room. . . I was helping Doctor Webster, who had three or four candles burning. The Doctor stood at a table, looking at a chemical book, and appeared to be reading—his back toward the door. I stood by the stove, stirring some water, in which a solution was to be made. I never heard a footstep; but the first I saw, Doctor Parkman came into the back room. . . . Doctor Webster looked round, and appeared surprised to see him enter so suddenly. The first words he said were:

"Doctor Webster, are you ready for me to-night?"

Doctor Parkman spoke quick and loud. Doctor Webster made answer:

"No, I am not ready, to-night, Doctor."

Doctor Parkman said something else. . . . He either accused Doctor Webster of selling something that had been mortgaged before . . . or something like that. He took some papers out of his pocket. Doctor Parkman said:

"It is so, and you know it."

Doctor Webster told him:

"I will see you to-morrow, Doctor."

Doctor Parkman stood near the door; he put his hand up, and said:

"Doctor, something must be accomplished to-morrow."

He then went out and it was the last time I saw him in the building.

Nothing, however was accomplished on the morrow toward settling the trouble between the two doctors, and now it is four days later, Friday, November 23d, in the week before Thanksgiving. An unlucky Friday for both men. Professor Webster has paid a sudden and rather mysterious call at Doctor Parkman's house before nine o'clock this morning, and made an appointment to see his creditor at the College at half-past one. Could a settlement be made at the College near an anatomical theatre, and amid the "pieces of sour mortality"—as Dickens afterward described some of the furniture of the place—which could not be done at Doctor Parkman's home? Evidently both men thought so, for here is Doctor Parkman hastening to the appointment. It is quarter before two; he is seen near the building and going toward it. He enters—or so it is supposed—and then, nobody sees him again.

Such a man as Doctor Parkman could not casually disappear from the streets of Boston, in broad daylight, without causing excitement. He was too prominent and too highly connected. He does not seem to have practised as a physician (although he was M. D. of the University of Aberdeen), but, instead, he devoted himself, too energetically, to business and finance. He was willing to accommodate an acquaintance with an advance of money, and he was not above bedevilling the debtor who seemed to be evading payment. His brother was the Reverend Doctor Parkman; but his nephew, then a young man, recently from college, was to become more distinguished than any of them, as Francis Parkman, the historian. He also had the family characteristic of determination, and it was most nobly exercised. Doctor Parkman lived in a substantial and rather gloomy-looking house, still standing at Number 8 Walnut Street.

When he did not come home to dinner that Friday afternoon his family were alarmed, and by the next day were in great agitation and distress. Advertisements offering rewards were put in the newspapers, the river was dredged, empty buildings and cellars were searched.

On Sunday afternoon, Professor Webster paid a sudden and surprising visit at the Reverend Doctor Parkman's house and aroused astonishment by his abrupt manner. The Professor acknowledged having had an interview with the missing man on Friday afternoon. According to this account, they had parted at the end of the interview. To other persons about the College the Professor said that he had met the Doctor by appointment, had paid him \$483, and that the Doctor had rushed out with this money in his hand. The inference served to bolster up the popular theory that Doctor Parkman had been waylaid somewhere, robbed, and murdered.

Professor Webster's actions were strange, both before and after the disappearance of Doctor Parkman, and at last he completely astounded the janitor, on Tuesday, by giving him an order for a Thanksgiving turkey. It was the first gift he had ever made to Littlefield in an acquaintance of seven years. Finally, Littlefield became tired of hearing on the street that Doctor Parkman would be found in the College, and he resolved to investigate a vault below Professor Webster's own apartments. Only superficial examination of the College had been made so far, in the searches which were going on all over Boston and Cambridge. But the janitor, with crowbars and chisels, and with his wife on guard to warn him of the approach of Webster, put in parts of two or three days trying to break through a brick wall, and inspect the contents of the vault. Thanksgiving was a gloomy day with him, in spite of Professor Webster's

turkey, for he spent the morning cleaning up his own cellar, and the afternoon pounding and prying at the tough courses of brick in the vault. He had some relief at night, however, when he went to a ball given by the Sons of Temperance, where he stayed until four o'clock in the morning, and danced eighteen out of the twenty dances. Ah, there were janitors in those days!

On Friday, one week after Doctor Parkman's disappearance, Littlefield broke through the wall and looked into the vault.

"I held my light forward," he said, "and the first thing which I saw was the pelvis of a man and two parts of a leg. The water was running down on these remains from the sink. I knew it was no place for these things."

College officers and the city marshal were notified; three policeman were sent to Cambridge to bring Professor Webster to Boston, and put him under arrest.

The policemen told the Professor, when they reached his house, that a further search was to be made at the College, and that his presence was desired. He came willingly enough, and talked pleasantly with them, until he found that the carriage had been driven, not to the College, but to the jail. Then he asked:

"What does this mean?"

The officer replied:

"We have done looking for Doctor Parkman, and you are in custody for the murder of Doctor Parkman."

He became greatly agitated, requested water to drink, and then asked a torrent of questions:

"Have they found Doctor Parkman? Where did they find him? Did they find the whole of the body? How came they to suspect me? Oh! my children, what will they do? Oh! what will they think of me?"

The officer in charge told him that he must not ask questions which it would be improper for him to answer, and then asked Professor Webster if anybody had access to his private apartments in the College.

"Nobody," he replied, "except the porter who makes the fire."

He paused for a minute and then added:

"That villain! I am a ruined man!"

After a few moments spent in pacing the floor, he sat down, took something from his waistcoat pocket, and put it to his mouth. This was followed by a spasm, and he was soon helpless. The officers helped him to rise and assisted him to a cell, where he lay down. He had a series of violent spasms, but was able, about an hour afterward, to go to the College, in charge of the officers, while a further inspection was made. At a later date, Professor Webster said that before he left the carriage, he took a dose of strychnine, which he had already prepared. He supposed that his nervous condition prevented it from acting fatally, as he thought it was a large dose.

The excitement in Boston was intense when it became known that Professor Webster had been arrested. It is said that two companies of militia were ordered out, but for what purpose, I do not know.

The list of the academic distinctions of John White Webster is rather long. His college class was that of 1811¹. He was Master of Arts and Doctor of Medicine of Harvard; a member of the American Academy of Arts and Sciences;

¹ Webster studied, or was "surgeon's dresser" at Guy's Hospital, London, in 1815, along with John Keats. His wife was Harriet Frederica Hickling, daughter of Thomas Hickling (b. 1744-5). Mrs. Webster was an aunt of William Hickling Prescott, the historian. For additional information see article on Webster in Dictionary American Biography by E.L.P.

of the London Geological Society, and of other learned bodies. He had written and edited some books on chemistry, and another describing one of the Azores, where his married daughter dwelt. Senator Hoar, who attended his lectures, said that he seemed "a kind-hearted, fussy person," but that his lectures were the most tedious compositions to which he ever listened. Owing to the fact that he had insisted on having fireworks at the inauguration of President Everett, the students called him "Sky-rocket Jack."

At one of his chemistry lectures, there had been a violent explosion of a copper vessel, part of which flew into the back of the classroom, and except for the fact that a student was absent and there was a vacancy in the row where the metal fragment struck, one of his auditors might have been killed. The Professor had commented drily:

"The President sent for me and told me I must be more careful. He said I should feel very badly indeed if I had killed one of the students. And I should."

Professor Andrew Peabody, writing many years after the trial, said:

Of Professor Webster I have not an unkind word to say. I never supposed him to be a great man; and he certainly was not interesting as a teacher, nor was he often successful in his chemical experiments. But he was good-natured in the classroom; and during my tutorship I was often invited to his too hospitable house, and became acquainted with his charming family.

When he was brought to trial in March, many persons still believed him innocent. Others thought that the case against him would fail, for lack of proof that the remains were those of Doctor Parkman. Some of his friends tried to

induce Rufus Choate to undertake the defence, but that great attorney, after hearing the evidence, refused to enter the case unless the Professor would admit the killing, and permit him to try to convince the jury that it was manslaughter, not murder. This, the Websters refused to consider. Those, who, like Charles Sumner, still believed in the Professor's innocence, probably did not understand the strength of the evidence which was to be brought forward.

The trial, before Chief Justice Shaw, is one of the landmarks in the history of criminal law in Massachusetts. Everyone was impressed by the gravity of the occasion, and the proceedings were extremely dignified. The jury could not have been excelled for seriousness of purpose and religious demeanor if they had been chosen from the House of Bishops. To accommodate the great numbers of folk who wished to see something of the trial, the floor of the Court was closed to all but privileged spectators, while the general public were admitted to the gallery, where, it is astonishing to learn, a change of audience was affected by the police every ten minutes! "Except for two tumultuous movements," order and quiet were preserved, and *from 55,000 to 60,000 persons had a glimpse of the proceedings*. The trial lasted for eleven days, and the *New York Herald*, a paper of four pages, was one of many which adopted the extraordinary policy of reporting the events daily, in three or four closely printed columns, and on the front page.

The testimony of Littlefield was of great importance; he was examined for hours. He described the interview between the two doctors, and then said that on that same day Professor Webster had inquired of him about the condition of the vault where were placed the remains from the dissecting room. On Thursday, the day before Doctor Parkman disappeared, Professor Webster sent the witness

to the Massachusetts General Hospital on an unsuccessful errand to get a jar of blood. Littlefield saw Doctor Parkman coming toward the College on the Friday, but did not see him enter. During the next few days, the Professor was locked in his apartments at hours which were not customary; unusual fires were burning in the furnace; a stream of water could be heard running in the sink. After the search for Doctor Parkman had begun, Webster told Littlefield that he had paid \$483 and some cents to Doctor Parkman, who had hurried out with it.

The State produced evidence that the prisoner had performed a number of feats of juggling with checks and notes, which the defence could not explain. Professor Webster told Doctor Parkman's agent that he had "settled" with Doctor Parkman; as, indeed, he had, but not in the manner in which the agent was intended to understand the phrase. Fragments of false teeth were found in the furnace, and in addition to what had been discovered in the vault, other larger parts of a human body in a tea chest filled with tanbark. And Webster had had a quantity of tanbark brought in from Cambridge, during the week, by Sawin the expressman—name familiar to generations of Harvard students.

Prisoners, at that period, were not allowed to testify, but Professor Webster's counsel entered for him a complete denial. They raised doubts whether the pieces of a human frame were those of Doctor Parkman, and suggested that, even if this were true, the fragments had been placed there by some person, unknown to Professor Webster, and perhaps in order to incriminate him. The tendency of the defence was to suggest the possible guilt of Littlefield. They tried to show, by witnesses, that Dr. Parkman had been seen later on that Friday, and in other parts of the city. Two or three witnesses appeared; some of them were mistaken as to

the date, and others mistook a man of similar appearance for the Doctor.

Despite the strong net of circumstantial evidence closing around Professor Webster, the whole case for the State hinged on the proof of the identity of the remains, and in the final analysis this rested upon the evidence about the false teeth. When Doctor Nathan Keep, a friend of both men, who had made the teeth for Doctor Parkman, gave his positive evidence, and proved its correctness by fitting the mould, still in his possession, to the fragments found in the furnace, he burst into tears, as he realized that his testimony would hang the prisoner.

A large number of Professor Webster's neighbours, friends, and colleagues appeared in his behalf, and testified as to his good character. He was nearly sixty years of age, and since he was generally respected, even if not very well liked, it was difficult for the jury to believe him guilty of the offence. One of his character witnesses was Jared Sparks, president of Harvard. Oliver Wendell Holmes had testified for the State; he had been lecturing on anatomy in the room above Professor Webster's at the time of the meeting with Doctor Parkman. Professor Webster was allowed to make a statement to the jury, and was so unwise as to accept the opportunity. He spoke for about fifteen minutes, criticizing his own counsel, and referring to details of the case brought against him. Chief Justice Shaw's charge to the jury is a celebrated address; parts of it, especially those relating to the nature and value of circumstantial evidence, are quoted in courts to-day. The case against Professor Webster was purely one of circumstantial evidence; nobody had seen the two men together at the time of the murder.

On the evening of the eleventh day of the trial, the jury

went out for three hours and came in about midnight with a verdict of "guilty."

Professor Webster was sentenced to death, but the usual appeals were made in his behalf. When the application for a writ of error was dismissed, the Professor addressed the Governor and Council, and in the most solemn language, protested his innocence. He used such remarkable phrases as these:

"To Him who seeth in secret, and before Whom I may ere long be called to appear, would I appeal for the truth of what I now declare . . ." and "Repeating in the most solemn and positive manner, and under the fullest sense of my responsibility as a man and as a Christian, that I am wholly innocent of this charge, to the truth of which the Searcher of all hearts is a witness . . ."

Some weeks later, this address was withdrawn, and the wretched man made a long confession, maintaining that the murder was not premeditated. Professor Webster described his call on the doctor on the Friday morning, and their appointment to meet that afternoon, at the College. He then wrote:

He came, accordingly, between half-past one and two. He came in at the lecture-room door. I was engaged in removing some glasses from my lecture-room table into the room in the rear, called the upper laboratory. He came rapidly down the steps and followed me into the laboratory. He immediately addressed me with great energy.

"Are you ready for me, sir? Have you got the money?"

I replied:

"No, Doctor Parkman," and was then beginning to state my condition and make my appeal to him. He would not listen to me, but interrupted me with much vehemence. He called me "scoundrel" and "liar," and went on heaping upon me the most bitter taunts and opprobrious epithets. While he was talking, he drew a handful of papers from his pocket, and took from among them my two notes, and also an old letter from Doctor Hosack, written many years ago, and congratulating him (Doctor P.) on his success in getting me appointed professor of chemistry.

"You see," he said, "I got you into your office, and now I will get you out of it."

He put back into his pocket all the papers, except the letter and the notes. I cannot tell how long the torrents of threats and invectives continued, and I can now recall to memory but a small portion of what he said.

At first I kept interposing, trying to pacify him, so that I might obtain the object for which I had sought the interview. But I could not stop him, and soon my own temper was up. I forgot everything. I felt nothing but the sting of his words. I was excited to the highest degree of passion; and while he was speaking and gesticulating in the most violent and menacing manner, thrusting the letter and his fist into my face, in my fury I seized whatever thing was handiest—it was a stick of wood—and dealt him an instantaneous blow with all the force that passion could give it. I did not know, nor think, nor care where I should hit him, nor how hard, nor what the effect would be. It was on the side of his head, and there was nothing to break the force of the blow. He fell instantly upon the pavement. There was no second blow. He did not move. I

stooped down over him, and he seemed to be lifeless. Blood flowed from his mouth, and I got a sponge and wiped it away. I got some ammonia and applied it to his nose; but without effect.

Perhaps I spent ten minutes in attempts to resuscitate him; but I found that he was absolutely dead. In my horror and consternation I ran instinctively to the doors and bolted them—the doors of the lecture room and of the laboratory below. And then, what was I to do?

It never occurred to me to go out and declare what had been done and obtain assistance. I saw nothing but the alternative of a successful removal and concealment of the body, on the one hand, and of infamy and destruction on the other. The first thing I did, as soon as I could do anything, was to drag the body into the private room adjoining. There I took off the clothes, and began putting them into the fire which was burning in the upper laboratory. They were all consumed there that afternoon—with papers, pocketbook, or whatever else they may have contained. I did not examine the pockets, nor remove anything except the watch. I saw that, or the chain of it, hanging out; and I took it and threw it over the bridge as I went to Cambridge.

My next move was to get the body into the sink which stands in the small private room. By setting the body partially erect against the corner, and getting up into the sink myself, I succeeded in drawing it up. There it was entirely dismembered. It was quickly done, as a work of terrible and desperate necessity. The only instrument used was the knife found by the officers in the tea chest, and which I kept for cutting corks. I made no use of the Turkish knife, as it was called at the trial. . . .

While dismembering the body, a stream of [water] was running through the sink, carrying off the blood in a pipe that passed down through the lower laboratory. There must have been a leak in the pipe, for the ceiling below was stained immediately round it.

Professor Webster made a long and plausible appeal for commutation of sentence, basing his claim, not only on the assertion—quite possibly correct—that the blow had been struck in a momentary fit of anger,¹ but upon his argument that every act of his own showed there had been no premeditation. His call in the morning to make an appointment, so he declared, would have been an insane act if he had planned to kill Doctor Parkman.

The Governor, however, could not admit that the prisoner's word was entitled to credit, nor did his pastor, or some of his friends, venture to suggest that he could be believed. Professor Webster was hanged on the last Friday in August, 1850. He was calm and apparently resigned. He had apologized humbly to Littlefield for the attempts to throw suspicion upon him, and he wrote a letter, in a spirit of deep contrition, to the Reverend Doctor Parkman, to make what peace he could with the family he had wronged.

Was it a coldly premeditated murder, or can it be considered manslaughter, done in a sudden passion and under provocation? The question about the vault, the attempt to get the blood, and, perhaps, the appointment with Parkman at the College point to a plan. On the other hand, he gave more or less plausible explanations of all these things, and the absurdity of any hope to make away with such a man as Doctor Parkman, and conceal the crime, is so

¹ Professor Peabody, in the book already quoted, expresses his firm belief that this was true. Many persons have always held the same opinion.

great as to cast doubts upon the theory of premeditation. The question seems to me impossible to answer.

The murder shows these things clearly: that a hitherto highly respectable person may commit a crime of this nature; that he may solemnly lie in the name of God, to escape punishment; and that a just conviction may be had upon circumstantial evidence. Even after the trial there were many who were unconvinced of the Professor's guilt, and A. Oakey Hall, afterward Mayor of New York, was one of those who wrote pamphlets to protest against the conviction. Mr. Hall was very severe upon what he denounced as the result of "Puritan bigotry" and "Bostonian snobbishness," but what course he took after the prisoner had confessed does not appear at this date.

The Webster-Parkman case has hardly been displaced as America's most celebrated murder, and the one which lives longest in books of reminiscences. It will be recalled that Artemus Ward's show had "wax figgers" of "Professor Webster in the act of killin' Doctor Parkman." Few writers of the time failed to mention the murder. Of the anecdotes which are told about it, the story related by Longfellow is perhaps the most remarkable. This was told at a dinner given to Charles Dickens, during his visit in 1869. Dickens, during the day, had visited the scene of the murder, with Doctor Holmes. A year or two before the murder, Longfellow had been one of the guests at a men's dinner at Professor Webster's, to meet a foreign visitor, interested in science. Toward the end of the evening, the Professor had the lights in the room lowered and a servant bring in a bowl of burning chemicals, which shed a ghastly glow upon the faces of the men about the table. Professor Webster rose, and producing a rope, cast it around his own neck like a noose. He then leaned over the hell fires which came

from the bowl, lolled his head upon one side, and protruded his tongue in the manner of a man who had been hanged!

After the execution, it is said that the Webster family removed to Fayal, where a married daughter lived. Some years later, at a dinner party, there was a glib guest who had not caught the names of some of the Websters who were present, but merely knew that they had come from Boston. In order to make himself agreeable, he suddenly remarked:

"Oh, by the way, what ever became of that Professor Webster who killed Doctor Parkman? Did they hang him?"

Another similarly gentle yarn is of a later date. Benjamin Butler was cross-examining a witness in Court, and treating him, so the Judge thought, with unnecessary brusqueness. He reminded the lawyer that the witness was a Harvard professor.

"Yes, I know, your Honour. We hanged one of them the other day!"

But Ben Butler always had a sinful dislike of Harvard. They had refused to give him an LL.D. Bliss Perry relates the following story. His mother at Williamstown, c.1870, would not entertain a Harvard professor, who came as a delegate, to a meeting of New England college officers. She said she could not sleep "if one of those Harvard professors was in the house"—having heard of Professor Webster. The professor was quartered elsewhere. He was James Russell Lowell.¹

¹ See Bliss Perry's Autobiography, "And Gladly Teach," 1935, p. 14.

1857: *THE MURDER OF PIERRE EMILE
L'ANGELIER BY X*

TO MEET MISS MADELEINE SMITH:

A Gossip on a Wonder Heroine of the 'Fifties
by William Roughead

THEY say that even of a good thing you can have too much. But I doubt it. True, such good things as sun-bathing, beer, and tobacco may be intemperately pursued to the detriment of their devotees; yet, to my mind, one cannot have too much of a good murder.

For example, my friend and criminous colleague, Mr. Edmund Pearson—I wonder, by the way, what has happened to the intervening “Lester” of his earlier title-pages?—told in his first and most excellent book in this vein, *Studies in Murder*, the attaching tale of the incomparable Lizzie Borden, a New England maiden, charged, in the 'nineties, with the unfilial massacre of her parents by means of an axe, and surprisingly acquitted by a sympathetic jury of her fellow-country-men. And in later works Mr. Pearson has returned to the “charge,” and given us further aspects of his favourite heroine's personality and unique achievement, manifestly to his own delight and to the equal joy of such readers as share his admiration for the gentle Lizzie.

So that although the story of Madeleine Hamilton Smith

has often been, with more or less competence, set forth—the latest and best account being that by Miss Tennyson Jesse, in her admirable introduction to the Madeleine volume of the Notable British Trials series—and the name of that engaging fair one is become, for such a savour legal mysteries, familiar in our mouths as household words, I venture to think the subject not yet exhausted, and that in fact we can never have enough of her and of the Mystery of Blythswood Square.

Any time I chance to be in Glasgow with an hour or so to spare—which, in view of the grievously inadequate mis-called “connections” afforded by the railway companies to Clyde-bound travellers from the east coast, often happens—I make my way to that respectable and dignified enclosure, and pausing at the second basement-window in the by-street, round the corner of the Square, ponder awhile upon what the iron stanchions could tell me an they would. For this very window once gave light to the chaste mysteries of Miss Madeleine’s bedroom, and the space between the sill and the pavement, below the level of the street, was used by the lovers as their letter-box. And it was through these rusty bars that the white hand of Madeleine was wont to proffer for the refreshment of her unpleasant wooer those midnight cups of cocoa or chocolate, of whose baneful effects he complained to his complaisant confidante, Miss Perry.

It is hard to account for the spell which even unto this day Madeleine Smith unquestionably casts upon her votaries. Hers was an unlovely nature: false, self-centred, wholly regardless of the rights and feelings of others, so far as these conflicted with her own desires; and her treatment of her blameless suitor, Mr. Minnoch, was flagrantly perfidious. Miss Tennyson Jesse, to whose recondite knowledge of the mysteries of her sex I respectfully take off my hat, has

sought to excuse these shortcomings on the ground of the sex-suppressions by which Victorian virgins were cabined and confined. But it humbly appears to me that Madeleine was essentially, in the phrase of Andrew Lang, "other than a good one"; and that even in the wider freedom offered by this golden age of lipstick, cocktails, and night clubs, she would infallibly have gone wrong.

Professor Saintsbury, in his graceful preface to *Pride and Prejudice*, has wisely observed: "What is the good of seeking for the reason of charm? it is there." And he instances, from the novels of the last hundred years, five young ladies with whom it might be a pleasure to fall in love. "Their names are, in chronological order, Elizabeth Bennet, Diana Vernon, Argemone Lavington, Beatrix Esmond, and Barbara Grant. I should have been most in love with Beatrix and Argemone; I should, I think, for mere companionship, have preferred Diana and Barbara. But to live with and to marry, I do not know that any one of the four can come into competition with Elizabeth." For the benefit of would-be admirers lacking his encyclopaedic acquaintance with our fiction, I may mention that the shyest of these maids is to be found concealed in the *Yeast* of Charles Kingsley.

In like manner I too have, in my own line of reading, my darker favourites, who, following the Professor's order, I name our Madeleine (1857), Jessie M'Lachlan (1862), Florence Bravo (1876), Adelaide Bartlett (1886), and Mrs. Maybrick (1889). Of three of the five I have elsewhere treated at large; Miss Smith and Mrs. Maybrick are for me—figuratively speaking—virgin. Despite the superior social standing, the richer hues and higher romantic value of Madeleine, I give my vote, as a "case," for Jessie, whose attractions, though physically inferior to those of her more brilliant rival, are morally of much greater appeal. And yet

Madeleine has many "points" to which the humbler genius of Jessie can make no claim. Her amazing correspondence—to Victorian ears so outrageously outspoken; her equally astounding courage, coolness, and seeming unconcern in a situation fraught with such danger and disgrace; and more notable than all in one of her age and sex, her complete lack of sensibility, her callosity of heart, in face of the ruin and devastation which she had wrought upon her hapless kinsfolk.

Apart from personal and professional feeling, I am moved to return to this old tale by the circumstance that I have before me a report of the case, which a former owner has "embellished" by the insertion of divers cuttings from the contemporary Press, relating to the nine-days' wonder of the trial. These are of value as giving us some notion of how the affair was regarded at the time. Although I have been living with Madeleine—I hasten to add, merely in a literary sense—for many years, they are to me instructive "news"; so I have thought it worth while to give some excerpts from them for the benefit of readers like-minded with myself. They do not solve the mystery, but they lighten a little our darkness as to the reactions of her fellow-citizens to the startling features of her case.

While I have neither wish nor intention to journey over again the travelled road of the evidence, it occurs to me as possible—having regard to the precedent of a learned Judge's historic question to counsel: "Who is Connie Gilchrist?"—that some readers of this inconsiderable essay, whether by ill-luck, inadvertence, defective education, or other cause to the present writer unknown, may never even have heard of Madeleine Smith! Such ignorance is to be deplored, and so far as may be in the space at my disposal, remedied. I shall, therefore, furnish first an outline of the

general question at issue, which will enable these benighted persons to appreciate the situation. Those acquainted with the facts and circumstances of the case need not read it, but it may prove of service to such as know not Madeleine.

I

The daughter of an architect of position in Glasgow, Madeleine Smith at nineteen was a dashing damsel, accomplished and attractive, an ornament of middle-class society in that city. Her charms caught the roving eye of a young Frenchman, Pierre Emile L'Angelier, clerk in a commercial house, and he contrived through a common friend an introduction to her in the street. This ill-omened meeting occurred in 1855. Socially, of course, L'Angelier was impossible; but he was a good-looking little "bounder," and the girl fell in love with him. They corresponded constantly, with that amazing mid-Victorian voluminosity which, happily, is a lost art, and met as often as circumstances permitted. No one in Madeleine's set knew of their intimacy; but a romantic spinster friend of L'Angelier, Miss Perry, acted as go-between, and one of the Smiths' maids connived at their clandestine meetings.

In the spring of 1856 the flirtation developed into an intrigue, the changed relations of the lovers being reflected in the tropical and abandoned tone of the fair correspondent. They addressed one another as "husband" and "wife," and there can be little doubt that in the belief of L'Angelier, as well as by the law of Scotland, they actually were married. An elopement was anticipated, but the gallant's official salary amounted only to ten shillings a week and the young lady was quite dependent on her parents, so the prospect was none of the brightest. In November 1856 the Smiths occupied a main-door corner house, No. 7 Blythswood Square.

The stanchioned windows of Madeleine's bedroom in the basement, as I have said, opened directly upon, and were partly below the level of the pavement of the side street; it was the lovers' custom to converse at these, the sunk part formed a convenient receptacle for their respective letters, and when the coast was clear she could take him into the house.

In the flat above lived a gentleman named William Minnoch, who began to pay his charming neighbour marked attentions. Whether or not the copiousness of her draughts of passion had induced satiety, Madeleine was quick to realize that her position as the wife of a prosperous Glasgow merchant would be very different from her future with the little French clerk, so she gave her responsible suitor every encouragement. On 28th January 1857, with the approbation of her parents, she accepted his hand. Meantime her correspondence with L'Angelier was maintained at the accustomed temperature, till, early in February, she made an effort to break the "engagement," and demanded the return of her letters.

Rumours of Mr. Minnoch's attentions had reached L'Angelier; he suspected what was afoot, taxed her with perfidy, and refused to give up the letters to anyone but her father. The mere suggestion drove Madeleine well-nigh crazy. The letters were indeed such as no parent ever read and few daughters could have written. She poured forth frantic appeals for mercy and solemnly denied that she had broken faith; she besought him to come to her and she would explain everything. L'Angelier stood firm. He has been called blackguard and blackmailer; as I read the facts, it was neither revenge nor money that he wanted, but his wife. "I will never give them [her letters] up," he told his friend Kennedy; "she shall never marry another man

so long as I live," adding with prophetic significance: "Tom, she'll be the death of me!"

A reconciliation was effected on 12th February, the correspondence was resumed on the old footing, and L'Angelier became again "her love, her pet, her sweet Emile." He told Miss Perry he was to see Madeleine on the 19th. That night he left his lodgings, taking the pass-key as he intended to be late; next morning his landlady found him writhing in agony on his bedroom floor, with all the painful symptoms of irritant poisoning. Whether the lovers had met or not is disputed, but in his diary, production of which at the trial was disallowed, L'Angelier wrote: "Thurs. 19. Saw Mimi a few moments—was very ill during the night." He recovered, but was never afterwards the same man.

At 4 A.M. on Monday 23rd, L'Angelier rang for his landlady, who found him suffering from another similar attack. The diary records: "Sun. 22. Saw Mimi in drawing-room—Promised me French Bible—Taken very ill." This meeting is otherwise established under Madeleine's own hand: "You did look bad on Sunday night and Monday morning. I think you get sick with walking home so late and the long want of food, so the next time we meet I shall make you eat a loaf of bread before you go out." L'Angelier said to Miss Perry: "I can't think why I was so unwell after getting coffee and chocolate from her [Madeleine]," referring, according to that lady, to *two* separate occasions. "If she were to poison me I would forgive her." He also told his friend Towers that he thought he had been poisoned *twice*, after taking coffee and cocoa.

Now, prior to the first illness, Madeleine had made an abortive attempt to procure prussic acid—"for her hands"—but no arsenic could then be traced to her possession. The day before the second attack, however, she bought from

Murdoch, a druggist, *one ounce of arsenic*, "to send to the gardener at the country house"—Mr. Smith's summer villa, Rowaleyn, near Row, on the Gareloch.

On 5th March, L'Angelier, whose jealousy was re-awakened, wrote insisting on knowing the truth about Mr. Minnoch. That day Madeleine purchased from Currie, another druggist, *a second ounce of arsenic*—"to kill rats at Blythswood Square"; and on the 6th she went with her family for ten days to Bridge of Allan. Mr. Minnoch was of the party, and the wedding was fixed for June.

L'Angelier, on sick leave, had gone to Edinburgh, impatiently awaiting Madeleine's return, when everything was to be explained. On the 19th he followed her to Bridge of Allan; but Madeleine had come back on the 17th, and the next day she obtained from Currie *a third ounce of arsenic*—"the first was so effectual."

On the evening of Sunday 22nd, L'Angelier returned to his lodgings: a letter forwarded to him from Glasgow had brought him home in hot haste. He looked well and happy, and after a hasty meal hurried away, saying he might be out late. At 2.30 A.M. his landlady, aroused by the violent pealing of the door bell, found him doubled up with agony upon the threshold. He was put to bed and she sent for a doctor, who formed a hopeful prognosis. "I am far worse than the doctor thinks," cried the patient. He said nothing as to the cause of his sudden seizure, but asked to see Miss Perry. When that lady arrived upon the scene L'Angelier's lips were sealed for ever. In his vest pocket was found the last letter of a remarkable series:

Why my beloved did you not come to me. Oh beloved are you ill. Come to me sweet one. I waited and waited for you but you came not. I shall wait again

to-morrow night same hour and arrangement. Do come sweet love my own dear love of a sweetheart. Come beloved and clasp me to your heart. Come and we shall be happy. A kiss fond love. Adieu with tender embraces ever believe me to be your own ever dear fond MIMI.

The postmark was Glasgow, 21st March. A facsimile will be found in Miss Tennyson Jesse's edition of the trial.

L'Angelier's half of the fatal correspondence was discovered; Madeleine fled to Row, and was brought back by her fiancé; an examination of the body pointed to poison, and she was apprehended. In her declaration she said that she had not seen L'Angelier for three weeks; the appointment was for Saturday, 21st March; he came neither that night nor the next; her purpose in making it was to tell him of her engagement to Mr. Minnoch! As to the arsenic, she used it all as a cosmetic, on the advice of a school-friend. She admitted giving cocoa to L'Angelier once, at her window.

Of the nine-days' wonder of her trial at Edinburgh in July I have small space left to speak. No less than 88 grains of arsenic were found in the body, and the defence made much of the fact that this was the greatest quantity hitherto detected, arguing that so large a dose indicated suicide rather than murder. The unsoundness of this contention is proved by two subsequent English cases,¹ where 150 and 154 grains respectively were recovered. As regards the two first charges—of administration—the Crown was handicapped by the exclusion of L'Angelier's diary; and in the murder charge, by inability to prove the actual meeting of the parties on the Sunday night. There was proof that

¹ *R. v. Dodds*, 1860, and *R. v. Hewitt*, 1863.

L'Angelier had talked once or twice in a vapouring way of suicide, but none that he ever had arsenic in his possession. The prisoner's account of her object in acquiring arsenic was contradicted by her old school-fellow, and the fact that what she obtained was, in terms of the Statute,¹ mixed with soot and indigo, rendered it strangely uninviting for toilet purposes. On the other hand, the Crown doctors noticed no colouring matter in the body, but to this point their attention was not then directed. On the question of motive, it was maintained that the accused had nothing to gain by L'Angelier's death if her letters remained in his possession. These, however, having neither address nor any signature except "Mimi," afforded little clue to the writer's identity. But surely it was his *silence* that was for her the supreme object, and how could that be ensured save by his death?

Lord Advocate Moncreiff's masterly address, strong, restrained, convincing, was then, as now, unduly eclipsed by the brilliant, emotional speech of John Inglis for the defence, held to be the finest ever delivered in a Scots court. The one appealed to the head, the other to the heart; each pledged his personal belief in the righteousness of his cause. Lord Justice-Clerk Hope's charge favoured an acquittal; the jury found the pannel Not Guilty of the first charge; the two others, not Proven. In the popular verdict: "If she did not poison him, she ought to have done it," I am unable to concur.

The amazing self-command with which the prisoner faced her ordeal, no less than her youth and beauty, inspired the pens of contemporary scribes. During the trial she received

¹ 14 Vict. c. 13, s. 3. This legal jargon means Chapter 13, Section 3, of a Statute made into law in the fourteenth year of the reign of Queen Victoria, i.e., 1851.

many proposals, lay and clerical. Her fiancé was not an offerer. . . .

II

Such is the abridgment of the case which I wrote for a chapter on Scottish poisonings in *Glengarry's Way*, a collection of essays first published in 1922. I make no apology for reprinting it here, because I am rather proud of it, as presenting in minimum compass the essential facts. The book was dedicated to my friend Mr. Hugh Walpole, who, in acknowledging the copy I sent him, thus referred to my inadequate treatment of Miss Smith:—

PENDRAGYN, CURY,
S. CORNWALL, *June 1, '22.*

MY DEAR ROUGHEAD,

I've just finished *Glengarry*, and I do congratulate you. I only wish it had been three times as long. I don't know what to pick out when it is 'all so good. But I think the "Locusta" chapter is perhaps the best, a really wonderful summary that must have been the Devil itself to do.¹ When I had finished it I swore I'd never eat porridge in Scotland again—a decision good for my figure, if I could only hold to it.

Any mention of my little pet and favourite Madeleine Smith always thrills me to the bone; but do you give her letters quite sufficient literary credit? They seem very fine compositions to me, and I would have been almost in L'Angelier's place might I have received them. And is it true that there is someone alive in Edinburgh today who saw the poor young man on the fateful night leaving Madeleine's window? . . .

¹ *Author's Note.* It was!

Thanking you once more for your splendid book and the honour you did me in connecting my name with it,

Yours very sincerely,

HUGH WALPOLE.

I admit that I did not do justice to the pen-flowers of Madeleine's indefatigable culture, but to have done so was, in the circumstances, impossible: they would require a volume to themselves. The rumour that L'Angelier was seen at her window that Sunday night was current at the time and has persisted even unto this day. I have often heard it asserted, but have never been able to verify the fact.

Madeleine's letters are painful reading, as well materially as morally. She wrote the large, angular hand—I believe it was termed Italian—then affected by well-bred young ladies. Six to eight pages was her average allowance, half of which, in the damnable fashion of the day, she "crossed," with the result that her MS. presents at first-sight the appearance of a Chinese puzzle. And when we reflect that the unfortunate L'Angelier received, and presumably perused, no less than 198 of these cryptographic missives—I had almost written "missiles"—which an expert at the trial stated were so difficult to decipher that he had to use a magnifying lens, the theory of suicide suggested by the defence seems, after all, less untenable than it otherwise appeared.

To shew the versatility of Madeleine as a correspondent and the remarkable range of her epistolary gift, here is a letter written by her to her husband-elect, on parting from him at Bridge of Allan, *but five days before she wrote to her lover the impassioned appeal above quoted*. The contrast in style is not less striking than instructive. Posted at Stirling on 16th March, it is addressed to "William Minnoch, Esq., 124 St. Vincent Street, Glasgow," and runs as follows:—

TO MEET MISS MADELEINE SMITH

MY DEAREST WILLIAM,

It is but fair, after your kindness to me, that I should write you a note. The day I part from friends I always feel sad. But to part from one I love, as I do you, makes me feel truly sad and dull. My only consolation is that we meet soon. Tomorrow we shall be home. I do wish you were here today. We might take a long walk. Our walk to Dumblane [*sic*] I shall ever remember with pleasure. That walk fixed a day on which we are to begin a new life—a life which I hope may be of happiness and long duration to both of us. My aim through life shall be to please you and study you. Dear William, I must conclude, as Mama is ready to go to Stirling. I do not go with the same pleasure as I did last time. I hope you got to Town safe, and found your sisters well. Accept my warmest kindest love and ever believe me to be

Yours with affcn.,

MADELEINE.

MONDAY,

PROSPECT VILLA.

When "dearest William" read the letters she had written to his rival, as disclosed at the trial, he must have had his doubts concerning the mutual happiness promised by his fiancée, had their marriage gone through as arranged. As it was, he behaved with conspicuous loyalty; when the blow fell and she fled in panic to Row, he followed her at once, found her on board the Helensburgh boat at the Broomie-law, brought her back to her parent's house, and gallantly stood by her until the revelations of the trial. These, however, proved too much even for his generosity. In the last of her letters which we have, that written to the Edinburgh

prison matron four days after her release—I shall later have occasion to quote it in full—she thus refers to the man who, despite the unspeakable wrong she had done him, treated her to the end like a gentleman: ‘My *friend* I know nothing of. I have not seen him. I hear he has been ill, which I don’t much care [*sic*].’

The only complete verbatim text of the famous letters in book form is to be found in the appendix to Miss Tennyson Jesse’s definitive edition of the trial. Madeleine had destroyed her share of the correspondence, and of L’Angelier’s letters we have only a few, of which he kept copies. But the cunning little cad carefully preserved every line she ever wrote to him. The full text thus for the first time made generally available—there is an American unexpurgated edition, issued in 1857 and much sought after by the curious—furnishes less lurid reading than the judicial fulminations would lead one to expect. Naïvely outspoken in matters sexual, while they may be termed indelicate, to class them as pornographic is absurd. The fault lies in their unconventional frankness; and the mid-Victorians deemed it unseemly to call a spade a spade. “Candour such as this,” justly remarks Miss Tennyson Jesse, “was felt to be perfectly shocking from a young woman, and to do the spirit of the time justice it would probably have been felt to be just as shocking had the parties been married. Love-making was a mysterious arrangement on the part of Providence, which was necessary to gentlemen and which a good wife accepted as her bounden duty. It was not a pagan festival such as Madeleine found it.”

If Madeleine’s phraseology was upon occasion ungenteel, the sentiments expressed by her lover, so far as we are permitted to know them, were perfectly correct—indeed, sur-

prisingly so in one of his age and race. For example, the so-called seduction took place in the garden at Rowaleyn one June night in 1856. After his departure, Madeleine, in a long letter to him dated, amazingly, "*Wednesday morning, 5 o'clock*," refers to the episode with engaging *épanchement* [effusion]: "Tell me, pet, were you angry at me for letting you do what you did—was it very bad of me? We should, I suppose, have waited till we were married. I shall always remember last night. . ." To which L'Angelier, also at great length, very properly replied: "I was not angry at you allowing me, Mimi, but I am sad it happened. *You had no resolution*. We should indeed have waited till we were married, Mimi. It was very bad indeed. I shall look with regret on that night." The reproaching of Mimi for her moral weakness is a charmingly characteristic touch.

Although the Lord Justice-Clerk's strictures on the tone of the letters was as severe as the most acidulous virgin could desire, in charging the jury his Lordship dealt with the very formidable case for the Crown in a manner that, despite the dictum of a certain doctor of laws at Padua, somewhat strained the quality of mercy. But his lordship was apt to be lenient, as witness another *cause célèbre* on which he presided: the trial of Dr. Smith of St. Fergus in 1854, for the murder by shooting of a young farmer friend, whose life he had insured and by whose death he stood to profit to the tune of £2,000. Yet, notwithstanding most damning evidence against him, the Judge practically directed the jury to acquit him of the charge, which, to the extent of Not Proven, they obediently did. There is an irreverent tradition that the Justice-Clerk, besides being an able lawyer, was a good judge of feminine charms, and that Madeleine, being possessed of a neat foot and an undeniable ankle, was advised

not to conceal those assets from the purview of the Bench, a display facilitated by the crinoline of the day. But no such tactics were available to the physician of St. Fergus.

Gratitude, as appears, was not one of Madeleine's strong points; she described the Lord Justice-Clerk, to whose charge she was so largely indebted, as "a tedious old man." As shewing the incredible coolness exhibited by her during the trial, where everyone else concerned was in a state of intense feverish excitement, it is recorded that on the conclusion of the Lord Advocate's deadly address for the Crown, she was asked what she thought of it. "When I have heard the Dean of Faculty I will tell you," she placidly replied; "I never like to give an opinion till I have heard both sides of the question!"

III

There can, I think, be little doubt that the withholding by a majority of the Court—2 to 1—of L'Angelier's diary from the knowledge of the jury was the determinant factor in the case. Had they been allowed to see, under the dead man's own hand, the recorded fact of his meetings with Madeleine on the nights immediately preceding his two first seizures, it would probably have turned the scale against her. The last entry in the diary is of Saturday, 14th March; it was on the night of Sunday the 22nd that the Crown alleged he got from her his third and fatal dose. Morally, we can be fairly certain they did meet that night. He had come hot-foot from Bridge of Allan on her urgent invitation, he left his lodgings for that express purpose, he was seen in the near vicinity of her house; but, legally, there was no proof of their meeting. In like manner, on the occasion of the two first attacks, it was not proved that they had met. There the diary supplies the missing links.

It is idle to suggest that L'Angelier fabricated these entries with a view to inculpate Madeleine, for, as Miss Tennyson Jesse has acutely pointed out, he had only to breathe to his landlady during his last illness a suspicion that it was due to the attentions of his "intended," and the game was up. But he spoke no word as to the cause of his condition. Then, as regards the suicide theory, whoever heard of anyone taking three separate doses—on 19th and 22nd February and on 22nd March—as a means of self-destruction, of so agonizing a poison as arsenic? And his last words: "If I could only get a little sleep I think I should be well," are scantily indicative of a wish to take his own life.

Too little attention has been paid to Madeleine's other medicinal shopping: her attempt to procure, on an unspecified day in the second week of February, "a small phial of prussic acid," coinciding as it does with L'Angelier's first threats of exposure, and curiously anticipating the similar failure of Miss Lizzie Borden to obtain the same death-dealing substance, whereby she was driven to adopt the more crude expedient of an axe. "She said she wanted it for her hands," says Madeleine's boy-messenger. In her declaration she does not state, as she did of the arsenic, that its use as a cosmetic was recommended to her by a school-friend; the matter is not mentioned. Yet the applicability of prussic acid to toilet purposes is so novel and startling as surely to call for some explanation. Madeleine's notions of beauty-treatment were, to say the least, peculiar.

It is sad to think that we possess no picture of those marvellous and compelling charms which she thus sought superfluously to enhance. The woodcut portraits published in the illustrated papers at the time of the trial are singularly unattractive, depicting a horse-faced female of repellent aspect. But from the correspondence it would seem that she was

actually photographed, although unfortunately no copy of the result is known to exist. Writing to L'Angelier in November 1856 she says: "Emile, I know you won't look on my likeness with pleasure—it is so cross—but, love, when it was done I had been in the horrid man's place from 12 o'clock, and I had it closed at 4 o'clock. [*sic*]. I had had no food from the night before and I was very furious." So protracted a time-exposure on an empty stomach must have been a trying ordeal. The form of photography then in use was the daguerreotype, which was taken on glass. Most of us possess grim and ghostly presentments of our forebears, surrounded by gilt tin frames, commonly preserved in little velvet-lined leather cases. That Madeleine's was of this sort appears from her next letter, sending the portrait to her lover: "I have put up this likeness in an old book, so that it may not be felt to be glass." And in later letters she writes: "I hope ere long you will have the original, which I know you will like better than a glass likeness"; "Tell me what Mary [Perry] says of my likeness. It is horrid ugly." Finally, in February 1857, when she made her first attempt to break the bonds wherein she was entangled, she wrote to him: "I shall feel obliged by your bring me [*sic*] my letters and likeness on Thursday eveng. at 7. Be at the area gate, and C. H. [the maid, Christina Harrison, who was privy to the intrigue] will take the parcel from you." But *this* appointment, at any rate, L'Angelier failed to keep, and the "likeness or portrait" was found in his repositories by the police on 31st March, and is included in the Crown list of productions (exhibits). What became of it afterwards I cannot tell. Probably the family applied for it and got it back.

My regret for the lack of a "likeness" was shared by Henry James, who, surprisingly in one of his delicate and fastidious taste, was fond of a good murder. I once presented

TO MEET MISS MADELEINE SMITH

him with a copy of the official report of the trial by Forbes Irvine (Edinburgh: 1857). In accepting my gift he made most interesting reference to the case, and his characteristic comments will be welcome to Madeleine's admirers. Here is his letter:—

21 CARLYLE MANSIONS,
CHEYNE WALK, S.W.
June 16th 1914.

MY DEAR ROUGHEAD,

Your offering is a precious thing and I am touched by it, but I am also alarmed for the effect on your fortunes, your future, and those (and that) who (and which) may, as it were, depend on you, of these gorgeous generousities of munificence. The admirable Report is, as I conceive, a high rarity and treasure, and I feel as if in accepting it I were snatching the bread perhaps from the lips of unknown generations. Well, I gratefully bow my head, but only on condition that it shall revert, the important object and alienated heirloom, to the estate of my benefactor on my demise.¹

A strange and fortunate thing has happened—your packet and letter found me this A.M. in the grip of an attack of gout (the 1st for 3 or 4 years, and apparently not destined to be very bad, with an admirable remedy that I possess at once resorted to). So I have been reclining at peace for most of the day with my foot up and my eyes attached to the prodigious Madeleine. I have read your volume straight through, with the extremity of interest and wonder. It represents indeed the *type* perfect case, with nothing to be taken from it or added,

¹ *Author's Note.* It didn't!

and with the beauty that she precisely didn't squalidly suffer, but lived on to admire with the rest of us, for so many years, the rare work of art with which she had been the means of enriching humanity.

With what complacency must she not have regarded it, through the long backward vista, during the time (now 20 years ago) when I used to hear of her as, married and considered, after a long period in Australia, the near neighbour, in Onslow Gardens, of my old friends the Lyon Playfairs. They didn't know or see her (beyond the fact of her being there), but they tantalized me, because if it made me reel very, very old it now piles Ossa upon Pelion for me that I remember perfectly her trial during its actuality, and how it used to come to us every day in the *Times*, at Boulogne, where I was then with my parents, and how they followed and discussed it in suspense and how I can still see the queer look of the "not proven," seen for the 1st time, on the printed page of the newspaper. I stand again with it, on the summer afternoon—a boy of 14—in the open window over the Rue Neuve Chaussée where I read it. Only I didn't know then of its—the case's—perfect beauty and distinction, as you say.

A singularly fine thing *is* this report indeed—and very magnificent the defence. She was truly a portentous young person, with the *conditions* of the whole thing throwing it into such extraordinary relief, and yet I wonder all the same at the verdict in the face of the so vividly attested, and so fully and so horribly, sufferings of her victim. It's astonishing that the evidence of what he went through that last night didn't do for her. And what a pity she was almost of the pre-

photographic age—I would give so much for a veracious portrait of her *then* face.

To all of which absolutely inevitable acknowledgment you are not to *dream*, please, of responding by a single word. I shall take, I foresee, the liveliest interest in the literary forger-man. How can we be sufficiently thankful for these charming breaks in the sinister perspective? I rest my telescope on your shoulder and am

Yours all gratefully,

HENRY JAMES.

The “forger-man,” by the way, was that skilful penman known as “Antique Smith,” of whose nefarious career I was then preparing an account;¹ but Henry James found him rather colourless, after his brilliant namesake—and no wonder.

Another literary friend of mine supplied a further reminiscence of Madeleine. Andrew Lang told me how he was at school with her brother, and that one day he and some of the other boys saw on a newspaper bill the striking announcement: “Arrest of Young Glasgow Girl for Murder.” Whereupon, turning to his companions, Lang jokingly remarked: “That’ll be Jim Smith’s sister,” which proved to be the truth!

Once upon a time I thought I had secured the prize. A middle-aged young lady of my acquaintance advised me that her venerable mamma was possessed of a water-colour drawing of Madeleine Smith, executed from the life and given to her by the artist. She set no value on such things, and would doubtless let me have it for the asking. An ap-

¹ First published in the *Juridical Review*; later reprinted in *The Riddle of the Ruthvens*, 1919 (new edition, revised, 1936).

pointment was made; I waited upon the lucky dowager, a frosty-faced and crusted person with a mischievous eye, and preferred my request. She replied that I would have been welcome to the sketch, had she not unfortunately, when clearing out some "rubbish"—save the mark!—committed it to the flames. When I was sufficiently recovered I took my leave, expressing my fears for the future welfare of one capable of committing such a crime, and withdrew, followed by the unhallowed chuckles of that malevolent old woman.

From another survivor of that dim epoch, who as a girl had seen Madeleine in the flesh at "parties" in Glasgow, I learned that she was ever the belle of the ball, extremely handsome, dark and dashing, alluring to the male; but in style and manner what the language of the day termed "bold." Which was just as well, looking to all she was later called upon to outface.

IV

I have been a long time in reaching the Press-cuttings that I promised, but you will have noticed that I took the precaution to call these desultory gleanings a "gossip."

The earliest is from the *Glasgow Herald* of 3rd April 1857. It is headed: "Painful Event—Charge of Poisoning," and is the first blast of the trumpet against the fair fame of Madeleine Smith. "For the last few days the recital of an event of the most painful character has been passing from mouth to mouth, and has become the subject of almost universal excitement and inquiry. So long as the matter was confined to rumour and surmise we did not consider that we were called on to make any public allusion to it; but now that a young lady has been committed to prison on a most serious charge, and the names of the respective parties

are in the mouths of everyone, any further delicacy in the way of withholding allusion to the case is impossible. At the same time we fervently trust that the cloud which at present obscures a most respectable and estimable household may be speedily and most effectually removed." The article proceeds to give a long and well-informed narrative of the facts, so far as then ascertained, and concludes: "Though she should be found pure and guiltless, as we trust may be the case, the family will have suffered deeply by having had one of their household even suspected of a crime so odious. We may add that Miss Smith, who, we understand, was judicially examined at great length before the Sheriff on Tuesday last, has comported herself throughout with perfect calmness." The *Glasgow Mail* also reports: "The utmost coolness is stated to have been manifested by the prisoner ever since she was placed in custody."

We learn from *The Times* that "The prisoner is granddaughter of the late Mr. David Hamilton, the celebrated architect of Glasgow Exchange and Hamilton Palace"; and I have somewhere read, although I cannot recall the reference, that she was akin to the ducal house of Hamilton.

"All sorts of rumours are afloat," says the *Morning Advertiser*, "bearing on the character of Miss Smith and the young Frenchman L'Angelier, whom she is accused of having poisoned. It is, of course, out of the question to place any reliance upon these stories, but it is said that the evidence at the trial will be of a very startling nature—so much so indeed that it may be deemed advisable to conduct the case with closed doors." An unnamed correspondent, who had talked with Miss Smith on the day of L'Angelier's death, informed the journal "that the young lady was then as gay and fascinating as he had ever seen her."

"The trial is now fixed for the 30th of the present month

[June],” says the *Mail*. “It may be premature and unfair to prejudge the case, but we cannot help remarking that we can see nothing for it but that the jury must bring in a verdict of ‘Not Proven.’ No one can prove that Miss Smith administered the poison; there is an hour at least unaccounted for between L’Angelier’s leaving her and reaching his lodgings; circumstantial evidence, too frequently faithless, is all that the prosecution can be based upon.” It is interesting to note that the writer admits, *pace* the Dean of Faculty, the meeting of the lovers on the fatal night. He goes on to outline the cosmetrical defence; suggests that L’Angelier, on his way home, may have fallen in with somebody, “who treated him with infinitely less kindness than his *inamorato* [*sic*]”; and concludes with the statement that the majority of Miss Smith’s fellow-citizens believe her to be entirely innocent. And a word of warning is uttered for the Judge and jury: to remember “the maxim of our immortal dramatist,” touching the quality of mercy. As we have seen, the Lord Justice-Clerk seems to have taken the editorial hint!

After the trial, a public subscription was got up for L’Angelier’s mother in Jersey, of whom he was said to have been the sole support, and the *Herald* published an open letter from her, invoking the blessing of the Almighty on the generous contributors. The amount raised was £89, 9s. 3d. It is stated by the *Sentinel* “that a few of the leading citizens of Glasgow subscribed largely for the defence of Miss Smith. We understand that a sum of not less than £5,000 was raised for this purpose.” Thus substantially did the Glasgow public back their opinion.

The *Courier* states that, after her discharge from the bar, she left Edinburgh, unobserved, by train for Glasgow. “Miss Smith, on getting out at Stepps Station, near Glasgow, im-

mediately drove to Rowaleyn House, where she arrived a little after ten o'clock. We regret to learn that Mrs. Smith (the mother) is in a very critical condition, and is rapidly sinking under the calamity which has been brought upon the family by the unfortunate daughter."

Only the pen of a Dostoevsky could describe the harrowing scene of the unrepentant Magdalen's—I beg pardon, Madeleine's—return to the family bosom. It was in truth a tragic homecoming. She had cast down the Great Goddess Respectability, that idol of the Victorian home; she had blasphemed her worship and defiled her altars. We, with our looser bonds and less exalted standards, can hardly realize the devastating outcome of her sacrilege. But though the pen of the great Russian master of pain and sorrow is not available, we are fortunate to possess a first-hand account from that of the heroine herself. Four days after her release she wrote to the matron of Edinburgh prison a letter, which, as Miss Tennyson Jesse has justly observed, is "far more profoundly shocking than any of her violent epistles to L'Angelier":—

DEAR MISS AITKEN,

You shall be glad to hear that I am well—in fact I am quite well, and my spirits not in the least down. I left Edinburgh and went to Slateford, and got home to Rowaleyn during the night. But, alas, I found Mama in a bad state of health. But I trust in a short time all will be well with her. The others are all well.

The feeling in the west is not so good towards me as you kind Edinburgh people shewed me. I rather think it shall be necessary for me to leave Scotland for a few months, but Mama is so unwell we do not like to fix anything at present.

If ever you see Mr. C. Combe [the Foreman of the Jury] tell him that the "pannel" was not at all pleased with the verdict. I was delighted with the loud cheer the Court gave. I did not feel in the least put about when the jury were out considering whether they should send me home or keep me. I think I must have had several hundred letters, all from gentlemen, some offering me consolation, and some their hearths and homes. *My friend* I know nothing of. I have not seen him. I hear he has been ill, which I don't much care [*sic*].

I hope you will give me a note. Thank Miss Bell and Agnes in my name for all their kindness and attention to me. I should like you to send me my Bible and watch to 124 St. Vincent Street, Glasgow, to J. Smith.

The country is looking lovely. As soon as I know my arrangements I shall let you know where I am to be sent to. With kind love to yourself and Mr. Smith, ever believe me,

Yours sincerely,

MADELEINE SMITH.

Monday, 13th July.

ROWALEYN,

GARELOCH.

To comment upon this unconscionable missive were to paint the lily. A facsimile of it may be seen in Mr. Duncan Smith's edition of the trial.

But even more repellent is her letter to the prison chaplain, first published from the original MS. as communicated to the *Scotsman* on 15th June 1933:—

TO MEET MISS MADELEINE SMITH

DEAR MR. ROSE,

After the kind interest you shewed me, I think it is but fair I should let you know of my safe arrival at home. I am very well, and my spirits are good. I found Mama far, far from well, but I trust she will soon be convalescent.

The feeling here is, I rather fear, strong against me, so I rather think I shall have to leave Scotland for a few weeks, but the poor state of Mama's health renders it impossible for me to make any arrangements at present.

I was not at all pleased with the "verdict," but I was charmed with the loud cheer the Court gave me. I got out of Edinburgh in the most private manner possible. I trust that painful, unhappy affair may tend to do us all great good—I see a different feeling pervades our family circle already. I am so glad that they all view it as an affliction sent from God for past errors and crimes, and if this be the means of drawing a family to the feet of Christ, I shall not grumble at the pain that sad event has cost me.

I may live to hear the family exclaim that it was the most blessed day of their life—the day I was cast into prison. God grant it may be so. I shall ever remember your kindness to me.

Receive my deepest, warmest, and heartfelt thanks, and with kind regards, believe me,

Yours sincerely,

MADELEINE SMITH.

July 15th '57
ROWALEYN,
GARELOCH.

Again, comment is needless: the letter speaks for itself. But one would like to have known the nature of those "past errors and crimes," committed by *other* members of the family, that so merited Divine punishment.

V

Resuming our newspaper researches, we find the reporter of the *Daily Express* giving a minute, but by no means flattering, portrait of the fair prisoner at the bar. Under the heading: "Personal Appearance of Madeleine Smith," he thus anticipates the methods of his modern journalistic successors: "The figure in the dock is small in stature, slight, and finely-formed, with the elasticity of youth and healthful upbringing. It is attired in a manner which shews how the most refined elegance may be united with the quietness of a Quakeress. Madeleine Smith, it is plain to every eye, is an artist in matters of dress. . . . But with her dress and figure admiration ends. Her countenance is striking, but not pleasant. A projecting brow, a long prominent nose, and a receding chin, impart to her sharp features a hawk-like aspect; and if her eye is large and lustrous, no spring of sensibility gleams from beneath those long, drooping lashes. . . . The brow is narrow and low; but the head, swathed in a profusion of dark brown tresses, swells upwards in the region in which phrenologists place the bump of firmness, and broadens behind to an extent that corresponds exactly with the mental weakness and moral depravity developed in her love epistles." But here, I think, our reporter is wise after the event; and how he was able to define her "bumps" beneath the "small, straw bonnet, trimmed with white ribbon, of the fashionable shape," does not appear. "Her mouth," he continues, "is significantly large, the upper lip projecting far over the one beneath, which, when she is moved, droops

away from its companion, and has a tendency to reveal the rising tide of emotion, so that more than once she has been seen to catch her lips tightly between thumb and forefinger to hide the feeling that she did not wish to shew. Her head embodies, more than we have ever seen before, the union of intellectual weakness with strong propensities and unbounded firmness." Our reporter is better at description than deduction, for the charge of "intellectual weakness" is grotesquely unfounded: Madeleine had the brains of a man, and a clever one at that. "Her eye, which fears to meet no other, and which is always the last to be withdrawn, is one which compels us to believe the statement she made in prison—that she never shed a tear." If this forbidding portrait be indeed a true "likeness," we can but exclaim with Dr. Faustus of immortal Helen—

Was this the face that launched a thousand ships
And burnt the topless towers of Ilium?

The reporter's unfavourable account, however, is confirmed by that of a brother scribe, who, under the style and title of "An Eye-Witness," furnishes his impressions of the trial. "Apart from the unhappy associations then, now, and there is too much reason to fear, alas! forever likely to be inseparably connected with her appearance anywhere, the pannel was a decidedly handsome, lady-like figure, of fully average height and development for a female, with a very graceful carriage. Most erroneously, in some sketches, she has been called a 'little, slim girl.' Her countenance has been termed 'pretty' and 'beautiful,' and designated by other hackneyed phrases, but was not according to our taste in female beauty. From the brow to the chin, a very long face, very small features, nose prominent, but unclassable among

any of the three chief varieties of that organic protuberance; splendidly rich, dark grey eye—physically considered—of pure and sparkling lustre, but to a degree unpleasing, nay forbidding in its expression; bad lips, mouth, and chin. We thought it fox-like, unattractive, cunning, deceitful, and altogether unprepossessing.”

The truth is that none of us would shew to advantage in the dock. It is a trying situation in which nobody looks their best. I have often noted how quite faceable, ordinary folk, viewed in that dread environment, take on a sinister aspect at once. Had a Cleopatra or a Mary Stuart sat within that narrow, railed-in pen, there would not have been lacking those who perceived flaws even in their loveliness. And, curiously, the accepted portraits of the Scottish Queen exhibit the same long face, prominent “organic protuberance”—I thank thee, “Eye-Witness,” for teaching me that word—and oblique eyes, which seem to have been leading features of our Madeleine. Doubtless the charm of each resided in the play of their expression: a subtile smile, a swift-flashing glance, the rich tones of a fine contralto voice—such may have been the secret of their allure. But it is idle to speculate; I had better get on with my cuttings.*

The *locus classicus* regarding the accused’s demeanour during the trial is the oft-quoted description in the *Ayrshire Express*, which I have italicized: “In the midst of all this excitement, passing through the eager crowd from and to prison, seated at the bar with hundreds of eyes fixed steadily upon her, Madeleine Smith is the only unmoved, cool personage to be seen. From the first moment to the last she has preserved that undaunted, defiant attitude of perfect repose which has struck every spectator with astonishment. She passes from the cab to the Court-room—or rather, to the cell beneath the dock—with the air of a belle entering a ball-

room. She ascends the narrow staircase leading into the dock with a jaunty air, an unveiled countenance"—(why, by the way, do reporters never say, "face"? Is there anything indecent in the word?)—"the same perpetual smile—or smirk, rather, for it lacks all the elements of a genuine smile; the same healthy glow of colour, and the same confident ease. . . ."

It is also recorded of her that day by day, when the Court rose for the luncheon interval, the prisoner refused either to leave the dock for the temporary privacy afforded by the cells below, or to take anything either to eat or drink, declining even a proffered packet of sandwiches. Immediately on the retiral of their Lordships, the official silence was broken and the tongues of the spectators were loosed. From the packed seats arose a continuous hum of many voices, discussing the evidence and commenting on such incidents as caught the popular fancy. Less abstemious than the accused, the eager crowd, with appetites whetted by excitement, munched steadily from paper bags or lunch cases, and athirst in the July heat of the stuffy Court-room, refreshed, according to their degree, from surreptitious bottles or flasks. And amid this restless babel sits Madeleine Smith unmoved, calm and composed as if alone in her Mama's quiet drawing-room in Blythswood Square! Verily, whatever else we may think of her, we must applaud her prodigious pluck.

From a lively article, headed "Notes on the Trial," I take the reporter's thumb-nail sketches of one or two of the principal figures. "Of all the witnesses, 'dear' Mary Perry seemed the most general favourite, her indiscreet patronage of the young lovers notwithstanding. No one, when they saw her, could believe the stories of her that had come from Glasgow. Folks expected a dashing young creature, a second string to the bow of the facile L'Angelier. Fancy the surprise when a

little old maid, in quiet black bonnet and brown dress, with an intellectual cast of countenance, and a pair of spectacles imparting quaintness to her face, entered the witness-box! For the young Jersey man she had evidently at first entertained an affection more than Platonic. Her case was probably one of those in which we so frequently find old-maid friendship crossing the borderland of mere friendship, and shading insensibly away into the region of something warmer and more endearing.

"Mr. William Minnoch was the witness whose appearance created most interest in anticipation. He is a man of apparently thirty-five years, though a fair complexion makes him look younger. He is short and slim, perhaps one of the best-dressed men on 'Change in Glasgow and with a keen-cut and more lady-like face than that of the woman to whom he was betrothed. His coolness in the witness-box was remarkable; all the symptoms of agitation which he displayed were an occasional cough, evidently to clear his throat when his voice was becoming husky, and a somewhat frequent appeal to a glass of water, which lay conveniently at hand, when his lips were becoming dry. But his coolness could not help to inspire the spectator with the notion that had he and Miss Madeleine Smith been married, they might have taken up house at the North Pole without much inconvenience to either." (It is elsewhere recorded that never once did he allow his eyes to light upon the figure in the dock, although she stared fixedly at him while he gave his evidence.)

"The youthful sister of the accused could not have been recognized as a relative from any family resemblance; her features were less prominent, and displayed much less force of character.

"Mr. Robert Baird, the young gentleman who introduced

L'Angelier to Miss Smith, and was thus the most important actor in the first act of the tragedy, seemed to be about twenty years of age, and looked an ordinary enough specimen of young Glasgow—the best man in the world to cut a figure in Buchanan Street, or in any other fashionable promenade of the west country ‘swells’; the last to shine in the most tragic Scottish tale of the nineteenth century.”

VI

Of the acting of the leading lady in the dramatic scene, the same writer gives us some enlightening glimpses, particularly as regards her reactions to the Lord Advocate's address. At first she leant forward on her elbow, the more favourably to mark his words and to watch the impression made by them upon the jury. But her interest soon relaxed, and while his Lordship was dealing with “the horrible and disgusting details which had been placed before them,” she was gazing intently at a face that had attracted her attention in one of the galleries, and seemed not to hear the biting words in which her moral failings were described. “It was when the word *arsenic* occurred in the speech that she was most attentive. In whatever direction she might be looking, however intently she might be studying the motions of someone, the bare utterance of that word seemed to have a magic influence over her, and she at once turned round to the speaker from whose lips the sibilant came. But no sooner had the word passed out of use, than the smallest matter apart from the speech sufficed to secure her attention. . . . The first allusion to her letters made her eye dilate to its fullest extent, and so it remained through all the extracts from, and comments upon her extraordinary literary productions; and this dilation of the eye, which many re-

marked, although it increased the striking appearance of her countenance, did not by any means give it a more prepossessing effect."

The reporter gives a graphic sketch of the final scene, after the jury had retired to consider their verdict. "Every spectator has risen from his seat in the feverish expectancy of the moment. The court is like a beehive with the buzz and hum of voices. Amidst all this, the prisoner sits calm and quiet, only at intervals you may note her lips tightly compressed. Her colour neither comes nor goes. . . ." A short half-hour passes, yet it seems an age; then the jingle of the jury-bell is heard: it sounds like the Last Trump. Solemnly the fifteen messengers of destiny file into the box; one is seen to smile, so the omens are propitious—though perhaps it is only due to nervousness. Then, in the breathless silence, the voice of the Chancellor [Foreman] announces an acquittal. So soon as the last "Not Proven" has issued from his lips, the decorum of the court is shattered. "Loud cheers and huzzas and handclappings and ruffling rend the rafters, drowning the cries of purple-faced officers of court and deafening the angry Judges, who strive in vain to still the tumult." Friends gather round her to congratulate on her escape; her law agent grasps one hand, the female warder the other. She smiles once—"a strange, sad, unlovely smile." But the great Dean of Faculty, to whose efforts she owes her freedom, remains seated at the table in the well of the Court, his head sunk in his hands. He neither looks at her nor smiles. The gate of the dock is thrown open, the trap-door is lifted, and for the last time Madeleine Smith, with her wonted elegant composure, slowly descends the stair, followed to the end by the eager gaze of the multitude, and so passes from the ken of her contemporaries.

Well do I recall being present at the finish of another

famous trial thirty-six years later, namely, that of A. J. Monson, charged with the murder of Cecil Hambrough at Ard-lamont. Splendidly defended by that admirable advocate, John Comrie Thomson, the accused was acquitted in like manner to Madeleine, though the verdict was received with less enthusiasm. In beginning his address to the jury, Comrie Thomson made telling reference to the fact that, as a young counsel, he had listened in the same Court-room to the historic speech of John Inglis in behalf of Madeleine Smith, and quoted with such effectiveness the masterly opening words of that celebrated appeal: "Gentlemen, the charge against the prisoner is murder, and the punishment of murder is death; and that simple statement is sufficient to suggest to you the awful nature of the occasion which brings you and me face to face."

I was struck by a further coincidence. When, upon the pronouncement of the verdict, Not Proven, the prisoner stood up, smiling, in the dock, his two junior counsel went forward to the rail and shook hands with him. Comrie Thomson left the Court without so much as a glance at his late client. The parallel is instructive.

VII

In their joy at the triumph of innocence, and with intent further to whitewash the besmirched fame of the popular heroine, certain newspapers of the baser sort made a cruel and unwarrantable attack upon the behaviour of Mr. William Minnoch. That gentleman had, one would think, suffered sufficiently by reason of his connection with the case and might have been allowed to quit the stage without a hostile demonstration. But I am glad to see that one voice at least was raised in his defence. This well-founded protest was made by a correspondent of the *Northern Whig*, who

addressed that journal as follows: "An article appeared in your columns of the 11th instant, censuring, in very strong terms, the conduct of Mr. Minnoch during the late trial at Edinburgh. I, therefore, take the liberty of writing to set you right on one or two points—or rather to lay before you facts that will induce you to alter your opinion of that gentleman. In the first place, you condemn him for consenting to appear as a witness at the trial. Upon Miss Smith's being arrested, so firmly was he convinced of her innocence that he declared his intention of marrying her as soon as she was acquitted. In the meantime he left Glasgow, giving up his business for a month, in order to avoid the chance of being subpoenaed [cited] as a witness; but it was represented to him that it would go against Miss Smith if he refused to give evidence. And, besides this, I think that you will allow that the situation in which he was placed—that of an accepted lover giving evidence against his affianced bride—was a most painful one, and not one that any man would willingly have courted.

"After he had given his evidence, he did not return home, as might have been expected, but remained at Edinburgh, and there awaited the issue of the trial; and as soon as Miss Smith was released he escorted her, not only back to Glasgow, but the whole way down to her father's country house, Rowaleyn.

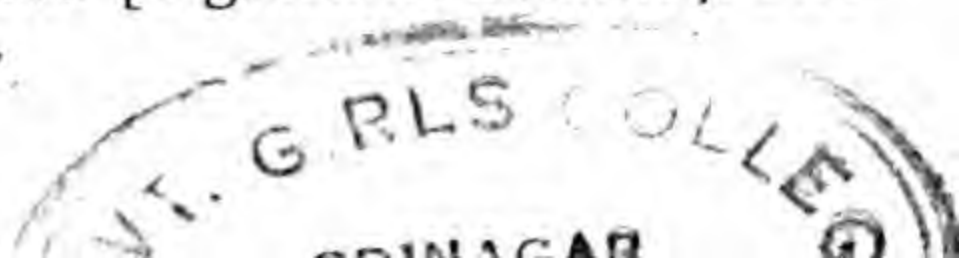
"The next thing we hear of him is, that he has put down his name for £500 to a subscription which was got up for the purpose of defraying the expenses of the trial—a delicate way of testifying to poor Mr. Smith his esteem for him, and his sympathy with him during his affliction. What his private conviction with regard to Miss Smith's innocence may have been I am at a loss to say; but this is a point on which

Mr. Minnoch has a right, and ought to judge. If he thought her guilty, it only renders his conduct all the more meritorious. The whole affair is involved in the deepest mystery, and forms a problem for moralists to speculate upon—a problem which will, perhaps, not be solved until the day when all things shall be made known.”

The reader will remember that in her letter to the prison matron Madeleine says she has not seen her “friend” since her return; but she is by no means a reliable witness, and having taken her safely home, he may then have left her for good and all. Or it may be that the writer, though he seems to be otherwise well-informed, has confused this journey with the earlier one, when she fled to Rowaleyn and Mr. Minnoch brought her back. At any rate it would doubtless occur to him, as a man of affairs, that if his betrothed could do what she was alleged to have done to one whom she had so passionately loved, what might she not do in the end to one whom she had never loved and was marrying for his money?

VIII

From the many notices of this extraordinary case published in newspapers and journals after the trial, I must content myself with quoting one or two extracts from a leading article in the *Saturday Review*, which seems to me the best of the lot: “The verdict in Madeleine Smith’s trial is ‘Not Proven.’ It declares nothing. The case, then, as they say in Germany, shifts from the actual to the ideal. The guilt or innocence of the accused will henceforth be like Queen Mary’s guilt or innocence—it will be a moot point for moralists. If we seem to assume the alternative of guilt, Madeleine Smith is to us only *nominis umbra* [a ghost of a name]. She



is an historical and debateable character, and an inquiry into her criminality becomes a question of purely moral and psychological interest. . . ."

Upon this assumption, the writer finds that in the matter of motive the chief interest of the case resides. "Yet it is not," he remarks, "any one single and simple passion—revenge, or lust, or avarice—which can end in such a catastrophe as this. It is in the mixture of motives, the complexity of passions, the conflict of sins—the seven devils wrestling with each other as well as with the victim—that the unearthly grandeur as well as horror of the deed with which she was charged consists. Passion leads many a man to murder his mistress; jealousy leads many a woman to murder her lover, even in the very frenzy of affection; cold-blooded ambition and interest prompt to murder, in order to get rid of an inconvenient obstacle to respectability and a fair standing with the world. But on the hypothesis of Madeleine Smith's guilt, we have each and all, and yet none of them, as adequate motives. The problem to solve—and it is inscrutable, because, as far as we know, absolutely without example—is the coexistence of that burning intensity of mere sexual passion which indisputably led Madeleine Smith to discard every restraint, even of common decency, that frailty so generally throws over the acts of sin, with a cool, settled malignity of self-possession, a deliberate hypocrisy in counterfeiting rapturous affection, which, for the credit of human nature, is unparalleled. And yet this must have been so, if she be guilty. The counsel for the defence never accounted for the fact—an indisputable one—that the letters to Minnoch and the last letters to her seducer (if that is to be the word), with all the old passion at least pretended, were of the same date. Whether Madeleine Smith poisoned L'Angelier or not, her parallel correspondence with him and

with Minnoch in March is established; and this is the moral anomaly in presence of which the fact of murder is a mere sequence. . . . Madeleine Smith was not convicted because it was not proved that she and L'Angelier met on the night before his death. This single circumstance compelled the verdict."

Commenting on the Dean of Faculty's telling point as to the improbability of this burning, passionate girl being suddenly transformed into a cold, deliberate murderess,¹ the writer observes that the miracle might well have been worked by L'Angelier's character: "His was just the sort of mind to work this horrible change in Madeleine Smith. A meaner and more contemptible scoundrel it would be difficult to conceive; and probably his low, selfish character prompted that sort of unhappy popular sympathy with Madeleine Smith which seems to prevail, at any rate in Edinburgh. A profligate, vain adventurer, boasting of his *bonnes fortunes*, and trafficking with this *liaison*, as perhaps with others, as a means of advancement—this is what L'Angelier was. . . . We believe that as a further knowledge of his miserable character broke upon Madeleine Smith, the insight into the man who could hold this girl's shame over her, and who could resist the terrific pathos of her shuddering, shivering appeals for mercy—appeals unequalled in the whole range of tragic vehemence—may account for this

¹ "Gentlemen, I will not say that such a thing is absolutely impossible; but I shall venture to say it is well-nigh incredible. He will be a bold man who will seek to set limits to the depths of human depravity; but this at least all past experience teaches us: that perfection, even in depravity, is not rapidly attained, and that it is not by such short and easy stages as the prosecutor has been able to trace in the career of Madeleine Smith, that a gentle, loving girl passes at once into the savage grandeur of a Medea, or the appalling wickedness of a Borgia. No, gentlemen, such a thing is not possible."—*Speech for the Defence*.

moral change. The deep fountains of her passion were, on discovering her paramour's character, frozen up. She found that she had ventured everything upon an unworthy object; and the very depth of her love was changed, on the complete and perfect sense of utter loss, into the corresponding depth of hatred."

And the writer proceeds to argue, with skill and cogency, that such satisfied hate, such vengeance fulfilled, would explain the strange indifference of the prisoner, which so baffled all beholders—

The deed is done,
And what may follow now regards not me.

IX

Every now and then, from that day to this, the fate of Madeleine Smith has furnished a paragraph for an all-wise and sleepless Press. She emigrated to America, Australia, and New Zealand; she lived her life in London, she settled in Staffordshire; she contracted divers marriages, with issue and without; she never married at all. *Enfin*, she frequently died and was as often resurrected. Amid such contradictory pronouncements it was difficult to discern the truth.

The earliest authentic account of her subsequent adventures appears to be that communicated by Mr. A. L. Humphreys to *Notes and Queries* (11 S. IV. Oct. 14, 1911). It begins, however, with the customary false report of her death, this time at Melbourne in 1893, on the authority of an obituary notice in the *St. James's Gazette* of 20th November. According to Mr. Humphreys, she married in the year of the trial a surgeon, named Tudor Hora, whom she accompanied to Melbourne. Four years later, the marriage having been dissolved—whether by natural or legal process is not

stated—she returned to the old country, and in 1861 made a fresh matrimonial venture. Her second husband was Mr. George Wardle, an artist, then living at 5 Bloomfield Terrace, Pimlico, the bride's address being given at 72 Sloane Street, Chelsea. The wedding was celebrated at St. Paul's, Knightsbridge, on 4th July 1861; the officiating clergyman was the Rev. Robert Liddell; the witnesses were H. Hoverlock and James Smith, her brother. Of the truth of these facts there is, in the familiar words of Don Alhambra del Bolero, "no probable, possible shadow of doubt"—I have seen an extract of the marriage certificate. Mr. Wardle, I understand, was associated later with William Morris and William de Morgan in their artistic pursuits.

It appears, from an article in the *Scotsman* of 4th January 1926, that Madeleine was then alive, at the age of 90, in the United States of America. Her husband, Mr. Wardle, was a man of much distinction, who was not only highly talented, but possessed of a good social position and considerable wealth. "She very soon made for herself a position in the literary and Socialist circles of London in those days, being well known to some still alive, whose reputation is world-wide, and who knew and guarded the tragic secret of her life."

The last word is with *The Times* of 18th April 1928. Madeleine is there stated, on good authority, to have died in America in the preceding week at the ripe age of 92. "Her husband, Mr. Wardle, was one of the first members of the Social Democratic Club in London, and her identity was known to most of the members. When well on in years she went to America, and it was only last year that her identity leaked out. Some cinema promoters suggested the exploiting of the story of the crime by the production of a film drama, in which Madeleine Smith would take the leading rôle;

but she refused. Pressure was brought to bear on her, and a threat made that if she declined to fall in with the suggestion, steps would be taken to have her sent back to Britain as an undesirable alien. As a result of the publicity that ensued, however, more humane counsels prevailed, and Madeleine was permitted to remain. Her death took place last week."

So the long tragedy ended in a farce, and Madeleine, despite her venerable age, was not immune from the ruthless realism of Hollywood. It is pathetic to think of that ancient woman—she was born in 1836, the year before Queen Victoria's accession—coerced into playing again the part of the wondrous girl who had thrilled the susceptibilities of three bygone generations. Surely, those responsible for this grotesque outrage lacked equally a sense of decency and of humour. But the spirit of the age knows neither.

X

In addition to figuring so largely in the law reports, Madeleine Smith has her niche in polite letters. Miss Emma Robinson, the gifted but neglected author of *Whitefriars* and other historical fictions, told the old tale in novel form: *Madeleine Graham* (London: John Maxwell and Company, 1864). Though marked or marred, by the flamboyant style then in vogue, the three volumes, charming in format, afford an enthralling study of the facts; the characters of the heroine, of Camille Le Tellier (L'Angelier), and of George Behringbright (Mr. Minnoch), are drawn with much insight and skill—Madeleine herself being uncannily lifelike.

And in our own time a sister-writer, Miss Winifred Duke, has made of the story a grim little play: *Madeleine Smith: A Tragi-Comedy* (Edinburgh: William Hodge and Company, 1928). It is in two acts; the first shews Madeleine at a

dinner-party on the day of L'Angelier's death, when the ghost of the miserable Frenchman troubles, like that of Banquo, the peace of the board; the second, the Smiths' drawing-room at Rowaleyn, on the night of the prodigal daughter's return. Here again, her character is drawn with subtlety and effect.

And so we take leave of Madeleine Smith, as she sits alone beside the dying fire—the family having “retired” to rest, after delivering their several opinions of her impropriety; and letting the dead past bury its dead, surveys, rather wearily, the grey vista of the years to come. Had she been able to trace in the embers the tedious course of her pilgrimage, even that indomitable spirit might well have faltered.

* * * * *

Two further fictions dealing with Madeleine Smith are Mrs. Belloc Lowndes' novel Letty Lynton (New York, Cape, 1931), filmed with Joan Crawford as Letty-Madeleine, and the play Dishonored Lady (1930) by Margaret Ayer Barnes and Edward Sheldon, in which Katharine Cornell scored one of her earlier successes. Both works are somewhat less kind to the unfortunate L'Angelier than to his murderess. W. D. Lyell's The House in Queen Anne Square is, according to Edmund Pearson, “a novel with a far-away resemblance to the case”—which is a reasonably good description of nine out of ten quasi-factual murder novels. —A. B.

1873: THE MURDER OF KAREN AND ANETHE
CHRISTENSEN BY LOUIS WAGNER

A MEMORABLE MURDER

by Celia Thaxter

A satisfactory afterword to Mrs Thaxter's account is the fact that Louis Wagner was executed during the month following the publication of her essay. But despite this tribute by the state to the veracity of her account, many readers for half a century persisted in considering her narrative as a short story. It has even appeared in several collections of fictitious stories; the editor, in fact, first read it in the incongruous setting of the Fiction Department of a large library.

Not until the publication of Edmund Pearson's Murder at Smutty Nose (New York, Doubleday, 1926) was "A Memorable Murder" generally recognized as the factual masterpiece which it is. And in this one case must a Pearson account take second place among the versions of the crime which it treats.

The editor can recall no other instance in murderous literature of a skilled writer who possessed first-hand and intimate knowledge of a case and of the people involved, and turned it to literary account. The immediacy of impact of Mrs. Thaxter's narrative remains as strong now as during her lifetime, when, we are informed, her reading of the story was wont to move her hearers literally to hysterics.—A.B.

At the Isles of Shoals, on the 5th of March in the year 1873, occurred one of the most monstrous tragedies ever enacted on this planet. The sickening details of the double murder are well known; the newspapers teemed with them for months: but the pathos of the story is not realized; the world does not know how gentle a life these poor people led, how innocently happy were their quiet days. They were all Norwegians. The more I see of the natives of this far-off land, the more I admire the fine qualities which seem to characterize them as a race. Gentle, faithful, intelligent, God-fearing human beings, they daily use such courtesy toward each other and all who come in contact with them, as puts our ruder Yankee manners to shame. The men and women living on this lonely island were like the sweet, honest, simple folk we read of in Björnson's charming Norwegian stories, full of kindly thoughts and ways. The murdered Anethe might have been the Eli of Björnson's beautiful Arne or the Ragnhild of Boyesen's lovely romance. They rejoiced to find a home just such as they desired in this peaceful place; the women took such pleasure in the little house which they kept so neat and bright, in their flock of hens, their little dog Ringe, and all their humble belongings! The Norwegians are an exceptionally affectionate people; family ties are very strong and precious among them. Let me tell the story of their sorrow as simply as may be.

Louis Wagner murdered Anethe and Karen Christensen at midnight on the 5th of March, two years ago this spring. The whole affair shows the calmness of a practiced hand; *there was no malice in the deed*, no heat; it was one of the coolest instances of deliberation ever chronicled in the annals of crime. He admits that these people had shown him nothing but kindness. He says in so many words,

"They were my best friends." They looked upon him as a brother. Yet he did not hesitate to murder them. The island called Smutty-Nose by human perversity (since in old times it bore the pleasanter title of Haley's Island) was selected to be the scene of this disaster. Long ago I lived two years upon it, and know well its whitened ledges and grassy slopes, its low thickets of wild-rose and bayberry, its sea-wall still intact, connecting it with the small island Malaga, opposite Appledore, and the ruined break-water which links it with Cedar Island on the other side. A lonely cairn, erected by some long ago forgotten fishermen or sailors, stands upon the highest rock at the southeastern extremity; at its western end a few houses are scattered, small, rude dwellings, with the square old Haley house near; two or three fish-houses are falling into decay about the water-side, and the ancient wharf drops stone by stone into the little cove, where every day the tide ebbs and flows and ebbs again with pleasant sound and freshness. Near the houses is a small grave-yard, where a few of the natives sleep, and not far, the graves of the fourteen Spaniards lost in the wreck of the ship Sagunto in the year 1813. I used to think it was a pleasant place, that low, rocky, and grassy island, though so wild and lonely.

From the little town of Laurvig, near Christiania, in Norway, came John and Maren Hontvet to this country, and five years ago took up their abode in this desolate spot, in one of the cottages facing the cove and Appledore. And there they lived through the long winters and the lovely summers, John making a comfortable living by fishing, Maren, his wife, keeping as bright and tidy and sweet a little home for him as man could desire. The bit of garden they cultivated in the summer was a pleasure to them; they made their house as pretty as they could with paint

and paper and gay pictures, and Maren had a shelf for her plants at the window; and John was always so good to her, so kind and thoughtful of her comfort and of what would please her, she was entirely happy. Sometimes she was a little lonely, perhaps, when he was tossing afar off on the sea, setting or hauling his trawls, or had sailed to Portsmouth to sell his fish. So that she was doubly glad when the news came that some of her people were coming over from Norway to live with her. And first, in the month of May, 1871, came her sister Karen, who stayed only a short time with Maren, and then came to Appledore, where she lived at service two years, till within a fortnight of her death. The first time I saw Maren, she brought her sister to us, and I was charmed with the little woman's beautiful behavior; she was so gentle, courteous, decorous, she left on my mind a most delightful impression. Her face struck me as remarkably good and intelligent, and her gray eyes were full of light.

Karen was a rather sad-looking woman, about twenty-nine years old; she had lost a lover in Norway long since, and in her heart she fretted and mourned for this continually: she could not speak a word of English at first, but went patiently about her work and soon learned enough, and proved herself an excellent servant, doing faithfully and thoroughly everything she undertook, as is the way of her people generally. Her personal neatness was most attractive. She wore gowns made of cloth woven by herself in Norway, a coarse blue stuff, always neat and clean, and often I used to watch her as she sat by the fire spinning at a spinning-wheel brought from her own country; she made such a pretty picture, with her blue gown and fresh white apron, and the nice, clear white muslin bow with which she was in the habit of fastening her linen collar,

that she was very agreeable to look upon. She had a pensive way of letting her head droop a little sideways as she spun, and while the low wheel hummed monotonously, she would sit crooning sweet, sad old Norwegian airs by the hour together, perfectly unconscious that she was affording such pleasure to a pair of appreciative eyes. On the 12th of October, 1872, in the second year of her stay with us, her brother, Ivan Christensen, and his wife, Anethe Mathea, came over from their Norseland in an evil day, and joined Maren and John at their island, living in the same house with them.

Ivan and Anethe had been married only since Christmas of the preceding year. Ivan was tall, light-haired, rather quiet and grave. Anethe was young, fair, and merry, with thick, bright sunny hair, which was so long it reached, when unbraided, nearly to her knees; blue-eyed, with brilliant teeth and clear, fresh complexion, beautiful, and beloved beyond expression by her young husband, Ivan. Mathew Hontvet, John's brother, had also joined the little circle a year before, and now Maren's happiness was complete. Delighted to welcome them all, she made all things pleasant for them, and she told me only a few days ago, "I never was so happy in my life as when we were all living there together." So they abode in peace and quiet, with not an evil thought in their minds, kind and considerate toward each other, the men devoted to their women and the women repaying them with interest, till out of the perfectly cloudless sky one day a bolt descended, without a whisper of warning, and brought ruin and desolation into that peaceful home.

Louis Wagner, who had been in this country seven years, appeared at the Shoals two years before the date of the murder. He lived about the islands during that time. He

was born in Ueckermünde, a small town of lower Pomerania, in Northern Prussia. Very little is known about him, though there were vague rumors that his past life had not been without difficulties, and he had boasted foolishly among his mates that "not many had done what he had done and got off in safety;" but people did not trouble themselves about him or his past, all having enough to do to earn their bread and keep the wolf from the door. Maren describes him as tall, powerful, dark, with a peculiarly quiet manner. She says she never saw him drunk—he seemed always anxious to keep his wits about him: he would linger on the outskirts of a drunken brawl, listening to and absorbing everything, but never mixing himself up in any disturbance. He was always lurking in corners, lingering, looking, listening, and he would look no man straight in the eyes. She spoke, however, of having once heard him disputing with some sailors, at table, about some point of navigation; she did not understand it, but all were against Louis, and, waxing warm, all strove to show him he was in the wrong. As he rose and left the table she heard him mutter to himself with an oath, "I know I'm wrong, but I'll never give in!" During the winter preceding the one in which his hideous deed was committed, he lived at Star Island and fished alone, in a wherry; but he made very little money, and came often over to the Hontvets, where Maren gave him food when he was suffering from want, and where he received always a welcome and the utmost kindness. In the following June he joined Hontvet in his business of fishing, and took up his abode as one of the family at Smutty-Nose. During the summer he was "crippled," as he said, by the rheumatism, and they were all very good to him, and sheltered, fed, nursed, and waited upon him the greater part of the season. He remained with them five weeks after

Ivan and Anethe arrived, so that he grew to know Anethe as well as Maren, and was looked upon as a brother by all of them, as I have said before. Nothing occurred to show his true character, and in November he left the island and the kind people whose hospitality he was to repay so fearfully, and going to Portsmouth he took passage in another fishing schooner, the Addison Gilbert, which was presently wrecked off the coast, and he was again thrown out of employment. Very recklessly he said to Waldemar Ingbertsen, to Charles Jonsen, and even to John Hontvet himself, at different times, that "he must have money if he murdered for it." He loafed about Portsmouth eight weeks, doing nothing. Meanwhile Karen left our service in February, intending to go to Boston and work at a sewing machine, for she was not strong and thought she should like it better than housework, but before going she lingered awhile with her sister Maren—fatal delay for her! Maren told me that during this time Karen went to Portsmouth and had her teeth removed, meaning to provide herself with a new set. At the Jonsen's, where Louis was staying, one day she spoke to Mrs. Jonsen of her mouth, that it was so sensitive since the teeth had been taken out; and Mrs. Jonsen asked her how long she must wait before the new set could be put in. Karen replied that it would be three months. Louis Wagner was walking up and down at the other end of the room with his arms folded, his favorite attitude. Mrs. Jonsen's daughter passed near him and heard him mutter, "Three months! What is the use! In three months you will be dead!" He did not know the girl was so near, and turning, he confronted her. He knew she must have heard what he said, and he glared at her like a wild man.

On the fifth day of March, 1873, John Hontvet, his brother

Mathew, and Ivan Christensen set sail in John's little schooner, the Clara Bella, to draw their trawls. At that time four of the islands were inhabited: one family on White Island, at the light-house; the workmen who were building the new hotel on Star Island, and one or two households beside; the Hontvet family at Smutty-Nose; and on Appledore, the household at the large house, and on the southern side, opposite Smutty-Nose, a little cottage, where lived Jörge Edvardt Ingebertsen, his wife and children, and several men who fished with him. Smutty-Nose is not in sight of the large house at Appledore, so we were in ignorance of all that happened on that dreadful night, longer than the other inhabitants of the Shoals.

John, Ivan, and Mathew went to draw their trawls, which had been set some miles to the eastward of the islands. They intended to be back to dinner, and then to go on to Portsmouth with their fish, and bait the trawls afresh, ready to bring back to set again next day. But the wind was strong and fair for Portsmouth and ahead for the islands; it would have been a long beat home against it; so they went on to Portsmouth, without touching at the island to leave one man to guard the women, as had been their custom. This was the first night in all the years Maren had lived there that the house was without a man to protect it. But John, always thoughtful for her, asked Emil Ingebertsen, whom he met on the fishing-grounds, to go over from Appledore and tell her that they had gone on to Portsmouth with the favoring wind, but that they hoped to be back that night. And he would have been back had the bait he expected from Boston arrived on the train in which it was due. How curiously everything adjusted itself to favor the bringing about of this horrible catastrophe! The bait did not arrive till the half past twelve train, and they were obliged to

work the whole night getting their trawls ready, thus leaving the way perfectly clear for Louis Wagner's awful work.

The three women left alone watched and waited in vain for the schooner to return, and kept the dinner hot for the men, and patiently wondered why they did not come. In vain they searched the wide horizon for that returning sail. Ah me, what pathos is in that longing look of women's eyes for far-off sails! that gaze so eager, so steadfast, that it would almost seem as if it must conjure up the ghostly shape of glimmering canvas from the mysterious distances of sea and sky, and draw it unerringly home by the mere force of intense wistfulness! And those gentle eyes, that were never to see the light of another sun, looked anxiously across the heaving sea till twilight fell, and then John's messenger, Emil, arrived—Emil Ingebertsen, courteous and gentle as a youthful knight—and reassured them with his explanation, which having given, he departed, leaving them in a much more cheerful state of mind. So the three sisters, with only the little dog Ringe for a protector, sat by the fire chatting together cheerfully. They fully expected the schooner back again that night from Portsmouth, but they were not ill at ease while they waited. Of what should they be afraid? They had not an enemy in the world! No shadow crept to the fireside to warn them what was at hand, no portent of death chilled the air as they talked their pleasant talk and made their little plans in utter unconsciousness. Karen was to have gone to Portsmouth with the fishermen that day; she was all ready dressed to go. Various little commissions were given her, errands to do for the two sisters she was to leave behind. Maren wanted some buttons, and "I'll give you one for a pattern; I'll put it in your purse," she said to Karen, "and then when you

open your purse you'll be sure to remember it." (That little button, of a peculiar pattern, was found in Wagner's possession afterward.) They sat up till ten o'clock, talking together. The night was bright and calm; it was a comfort to miss the bitter winds that had raved about the little dwelling all the long, rough winter. Already it was spring; this calm was the first token of its coming. It was the 5th of March; in a few weeks the weather would soften, the grass grow green, and Anethe would see the first flowers in this strange country, so far from her home where she had left father and mother, kith and kin, for love of Ivan. The delicious days of summer at hand would transform the work of the toiling fishermen to pleasure, and all things would bloom and smile about the poor people on the lonely rock! Alas, it was not to be.

At ten o'clock they went to bed. It was cold and "lonesome" up-stairs, so Maren put some chairs by the side of the lounge, laid a mattress upon it, and made up a bed for Karen in the kitchen, where she presently fell asleep. Maren and Anethe slept in the next room. So safe they felt themselves, they did not pull down a curtain, nor even try to fasten the house-door. They went to their rest in absolute security and perfect trust. It was the first still night of the new year; a young moon stole softly down toward the west, a gentle wind breathed through the quiet dark, and the waves whispered gently about the island, helping to lull those innocent souls to yet more peaceful slumber. Ah, where were the gales of March that might have plowed that tranquil sea to foam, and cut off the fatal path of Louis Wagner to that happy home! But nature seemed to pause and wait for him. I remember looking abroad over the waves that night and rejoicing over "the first calm night of the year!" It was so still, so bright! The hope of all the

light and beauty a few weeks would bring forth stirred me to sudden joy. There should be spring again after the long winter-weariness.

*"Can trouble live in April days,
Or sadness in the summer moons?"*

I thought, as I watched the clear sky, grown less hard than it had been for weeks, and sparkling with stars. But before another sunset it seemed so me that beauty had fled out of the world, and that goodness, innocence, mercy, gentleness, were a mere mockery of empty words.

Here let us leave the poor women, asleep on the lonely rock, with no help near them in heaven or upon earth, and follow the fishermen to Portsmouth, where they arrived about four o'clock that afternoon. One of the first men whom they saw as they neared the town was Louis Wagner; to him they threw the rope from the schooner, and he helped draw her in to the wharf. Greetings passed between them; he spoke to Matthew Hontvet, and as he looked at Ivan Christensen, the men noticed a flush pass over Louis's face. He asked were they going out again that night? Three times before they parted he asked that question; he saw that all the three men belonging to the island had come away together; he began to realize his opportunity. They answered him that if their bait came by the train in which they expected it, they hoped to get back that night, but if it was late they should be obliged to stay till morning, baiting their trawls; and they asked him to come and help them. It is a long and tedious business, the baiting of trawls; often more than a thousand hooks are to be manipulated, and lines and hooks coiled, clear of tangles, into tubs, all ready for throwing overboard when the fishing-grounds are reached. Louis gave them a half promise

that he would help them, but they did not see him again after leaving the wharf. The three fishermen were hungry, not having touched at their island, where Maren always provided them with a supply of food to take with them; they asked each other if either had brought any money with which to buy bread, and it came out that every one had left his pocketbook at home. Louis, standing by, heard all this. He asked John, then, if he had made fishing pay. John answered that he had cleared about six hundred dollars.

The men parted, the honest three about their business; but Louis, what became of him with his evil thoughts? At about half past seven he went into a liquor shop and had a glass of something; not enough to make him unsteady,—he was too wise for that. He was not seen again in Portsmouth by any human creature that night. He must have gone, after that, directly down to the river, that beautiful, broad river, the Piscataqua, upon whose southern bank the quaint old city of Portsmouth dreams its quiet days away; and there he found a boat ready to his hand, a dory belonging to a man by the name of David Burke, who had that day furnished it with new thole-pins. When it was picked up afterward off the mouth of the river, Louis's anxious oars had eaten half-way through the substance of these pins, which are always made of the hardest, toughest wood that can be found. A terrible piece of rowing must that have been, in one night! Twelve miles from the city to the Shoals,—three to the light-houses, where the river meets the open sea, nine more to the islands; nine back again to Newcastle next morning! He took that boat, and with the favoring tide dropped down the rapid river where the swift current is so strong that oars are scarcely needed, except to keep the boat steady. Truly all nature seemed to play

into his hands; this first relenting night of earliest spring favored him with its stillness, the tide was fair, the wind was fair, the little moon gave him just enough light, without betraying him to any curious eyes, as he glided down the three miles between the river banks, in haste to reach the sea. Doubtless the light west wind played about him as delicately as if he had been the most human of God's creatures; nothing breathed remonstrance in his ear, nothing whispered in the whispering water that rippled about his inexorable keel, steering straight for the Shoals through the quiet darkness. The snow lay thick and white upon the land in the moonlight; lamps twinkled here and there from dwellings on either side; in Eliot and Newcastle, in Portsmouth and Kittery, roofs, chimneys, and gables showed faintly in the vague light; the leafless trees clustered dark in hollows or lifted their tracery of bare boughs in higher spaces against the wintry sky. His eyes must have looked on it all, whether he saw the peaceful picture or not. Beneath many a humble roof honest folk were settling into their untroubled rest, as "this planned piece of deliberate wickedness" was stealing silently by with his heart full of darkness, blacker than the black tide that swirled beneath his boat and bore him fiercely on. At the river's mouth stood the sentinel lighthouses, sending their great spokes of light afar into the night, like the arms of a wide humanity stretching into the darkness helping hands to bring all who needed succor safely home. He passed them; first the tower at Fort Point, then the taller one at Whale's Back, steadfastly holding aloft their warning fires. There was no signal from the warning bell as he rowed by, though a danger more subtle, more deadly, than fog, or hurricane, or pelting storm was passing swift beneath it. Unchallenged by anything in earth or heaven, he kept

on his way and gained the great outer ocean, doubtless pulling strong and steadily, for he had no time to lose, and the longest night was all too short for an undertaking such as this. Nine miles from the light-houses to the islands! Slowly he makes his way; it seems to take an eternity of time. And now he is midway between the islands and the coast. That little toy of a boat with its one occupant in the midst of the awful, black, heaving sea! The vast dim ocean whispers with a thousand waves; against the boat's side the ripples lightly tap, and pass and are lost; the air is full of fine, mysterious voices of winds and waters. Has he no fear, alone there on the midnight sea with such a purpose in his heart? The moonlight sends a long, golden track across the waves; it touches his dark face and figure, it glitters on his dripping oars. On his right hand Boone Island light shows like a setting star on the horizon, low on his left the two beacons twinkle off Newburyport, at the mouth of the Merrimack River; all the light-houses stand watching along the coast, wheeling their long, slender shafts of radiance as if pointing at this black atom creeping over the face of the planet with such colossal evil in his heart. Before him glitters the Shoals' light at White Island, and helps to guide him to his prey. Alas, my friendly light-house, that you should serve so terrible a purpose! Steadily the oars click in the rowlocks; stroke after stroke of the broad blades draws him away from the lessening line of land, over the wavering floor of the ocean, nearer the lonely rocks. Slowly the coast-lights fade, and now the rote of the sea among the lonely ledges of the Shoals salutes his attentive ear. A little longer and he nears Appledore, the first island, and now he passes by the snow-covered, ice-bound rock, with the long buildings showing clear in the moonlight. He must have looked at them as he went past. I wonder

we who slept beneath the roofs that glimmered to his eyes in the uncertain light did not feel, through the thick veil of sleep, what fearful thing passed by! But we slumbered peacefully as the unhappy women whose doom every click of those oars in the rowlocks, like the ticking of some dreadful clock, was bringing nearer and nearer. Between the islands he passes; they are full of chilly gleams and glooms. There is no scene more weird than these snow-covered rocks in winter, more shudderful and strange: the moonlight touching them with mystic glimmer, the black water breaking about them and the vast shadowy spaces of the sea stretching to the horizon on every side, full of vague sounds, of half lights and shadows, of fear, and of mystery. The island he seeks lies before him, lone and still; there is no gleam in any window, there is no help near, nothing upon which the women can call for succor. He does not land in the cove where all boats put in, he rows round to the south side and draws his boat up on the rocks. His red returning footsteps are found here next day, staining the snow. He makes his way to the house he knows so well.

All is silent: nothing moves, nothing sounds but the hushed voices of the sea. His hand is on the latch, he enters stealthily, there is nothing to resist him. The little dog, Ringe, begins to bark sharp and loud, and Karen rouses, crying, "John, is that you?" thinking the expected fishermen had returned. Louis seizes a chair and strikes at her in the dark; the clock on a shelf above her head falls down with the jarring of the blow, and stops at exactly seven minutes to one. Maren in the next room, waked suddenly from her sound sleep, trying in vain to make out the meaning of it all, cries, "What's the matter?" Karen answers, "John scared me!" Maren springs from her bed and tries to open her chamber door; Louis has fastened it on the other side by

pushing a stick through over the latch. With her heart leaping with terror the poor child shakes the door with all her might, in vain. Utterly confounded and bewildered, she hears Karen screaming, "John kills me! John kills me!" She hears the sound of repeated blows and shrieks, till at last her sister falls heavily against the door, which gives way, and Maren rushes out. She catches dimly a glimpse of a tall figure outlined against the southern window; she seizes poor Karen and drags her with the strength of frenzy within the bedroom. This unknown terror, this fierce, dumb monster who never utters a sound to betray himself through the whole, pursues her with blows, strikes her three times with a chair, either blow with fury sufficient to kill her, had it been light enough for him to see how to direct it; but she gets her sister inside and the door shut, and holds it against him with all her might and Karen's failing strength. What a little heroine was this poor child, struggling with the force of desperation to save herself and her sisters!

All this time Anethe lay dumb, not daring to move or breathe, roused from the deep sleep of youth and health by this nameless, formless terror. Maren, while she strives to hold the door at which Louis rattles again and again, calls to her in anguish, "Anethe, Anethe! Get out of the window! run! hide!" The poor girl, almost paralyzed with fear, tries to obey, puts her bare feet out of the low window, and stands outside in the freezing snow, with one light garment over her cowering figure, shrinking in the cold winter wind, the clear moonlight touching her white face and bright hair and fair young shoulders. "Scream! scream!" shouts frantic Maren. "Somebody at Star Island may hear!" but Anethe answers with the calmness of despair, "I cannot make a sound." Maren screams, herself, but the feeble

sound avails nothing. "Run! run!" she cries to Anethe; but again Anethe answers, "I cannot move."

Louis has left off trying to force the door; he listens. Are the women trying to escape? He goes out-of-doors. Maren flies to the window; he comes round the corner of the house and confronts Anethe where she stands in the snow. The moonlight shines full in his face; she shrieks loudly and distinctly, "Louis, Louis!" Ah, he is discovered, he is recognized! Quick as thought he goes back to the front door, at the side of which stands an ax, left there by Maren, who had used it the day before to cut the ice from the well. He returns to Anethe standing shuddering there. It is no matter that she is beautiful, young, and helpless to resist, that she has been kind to him, that she never did a human creature harm, that she stretches her gentle hands out to him in agonized entreaty, crying piteously, "Oh, Louis, Louis, Louis!" He raises the ax and brings it down on her bright head in one tremendous blow, and she sinks without a sound and lies in a heap, with her warm blood reddening the snow. Then he deals her blow after blow, almost within reach of Maren's hands, as she stands at the window. Distracted, Maren strives to rouse poor Karen, who kneels with her head on the side of the bed; with desperate entreaty she tries to get her up and away, but Karen moans, "I cannot, I cannot." She is too far gone; and then Maren knows she cannot save her, and that she must flee herself or die. So, while Louis again enters the house, she seizes a skirt and wraps round her shoulders, and makes her way out of the open window, over Anethe's murdered body, barefooted, flying away, anywhere, breathless, shaking with terror.

Where can she go? Her little dog, frightened into silence, follows her,—pressing so close to her feet that she falls over him more than once. Looking back she sees Louis

has lit a lamp and is seeking for her. She flies to the cove; if she can but find his boat and row away in it and get help! It is not there; there is no boat in which she can get away. She hears Karen's wild screams,—he is killing her! Oh where can she go? Is there any place on that little island where he will not find her? She thinks she will creep into one of the empty old houses by the water; but no, she reflects, if I hide there, Ringe will bark and betray me the moment Louis comes to look for me. And Ringe saved her life, for next day Louis's bloody tracks were found all about those old buildings where he had sought her. She flies, with Karen's awful cries in her ears, away over rocks and snow to the farthest limit she can gain. The moon has set; it is about two o'clock in the morning, and oh, so cold! She shivers and shudders from head to feet, but her agony of terror is so great she is hardly conscious of bodily sensation. And welcome is the freezing snow, the jagged ice and iron rocks that tear her unprotected feet, the bitter brine that beats against the shore, the winter winds that make her shrink and tremble; "they are not so unkind as man's ingratitude!" Falling often, rising, struggling on with feverish haste, she makes her way to the very edge of the water; down almost into the sea she creeps, between two rocks, upon her hands and knees, and crouches, face downward, with Ringe nestled close beneath her breast, not daring to move through the long hours that must pass before the sun will rise again. She is so near the ocean she can almost reach the water with her hand. Had the wind breathed the least roughly the waves must have washed over her. There let us leave her and go back to Louis Wagner. Maren heard her sister Karen's shrieks as she fled. The poor girl had crept into an unoccupied room in a distant part of the house, striving to hide herself. He could not kill her with blows, blundering

in the darkness, so he wound a handkerchief about her throat and strangled her. But now he seeks anxiously for Maren. *Has* she escaped? What terror is in the thought! Escaped, to tell the tale, to accuse him as the murderer of her sisters. Hurriedly, with desperate anxiety, he seeks for her. His time was growing short; it was not in his programme that this brave little creature should give him so much trouble; he had not calculated on resistance from these weak and helpless women. Already it was morning, soon it would be daylight. He could not find her in or near the house; he went down to the empty and dilapidated houses about the cove, and sought her everywhere. What a picture! That blood-stained butcher, with his dark face, crawling about those cellars, peering for that woman! He dared not spend any more time; he must go back for the money he hoped to find, his reward for this! All about the house he searches, in bureau drawers, in trunks and boxes: he finds fifteen dollars for his night's work! Several hundreds were lying between some sheets folded at the bottom of a drawer in which he looked. But he cannot stop for more thorough investigation; a dreadful haste pursues him like a thousand fiends. He drags Anethe's stiffening body into the house, and leaves it on the kitchen floor. If the thought crosses his mind to set fire to the house and burn up his two victims, he dares not do it: it will make a fatal bonfire to light his homeward way; besides, it is useless, for Maren has escaped to accuse him, and the time presses so horribly! But how cool a monster is he! After all this hard work he must have refreshment to support him in the long row back to the land; knife and fork, cup and plate, were found next morning on the table near where Anethe lay; fragments of food which was not cooked in the house, but brought from Portsmouth, were scattered about. Tidy

Maren had left neither dishes nor food when they went to bed. The handle of the tea-pot which she had left on the stove was stained and smeared with blood. Can the human mind conceive of such hideous *nonchalance*? Wagner sat down in that room and ate and drank! It is almost beyond belief! Then he went to the well with a basin and towels, tried to wash off the blood, and left towels and basin in the well. He knows he must be gone! It is certain death to linger. He takes his boat and rows away toward the dark coast and the twinkling lights; it is for dear life, now! What powerful strokes send the small skiff rushing over the water!

There is no longer any moon, the night is far spent; already the east changes, the stars fade; he rows like a madman to reach the land, but a blush of morning is stealing up the sky and sunrise is rosy over shore and sea, when panting, trembling, weary, a creature accursed, a blot on the face of the day, he lands at Newcastle—too late! Too late! In vain he casts the dory adrift; she will not float away; the flood tide bears her back to give her testimony against him, and afterward she is found at Jaffrey's Point, near the "Devil's Den," and the fact of her worn thole-pins noted. Wet, covered with ice from the spray which has flown from his eager oars, utterly exhausted, he creeps to a knoll and reconnoitres; he thinks he is unobserved, and crawls on towards Portsmouth. But he is seen and recognized by many persons, and his identity established beyond a doubt. He goes to the house of Mathew Jonsen, where he has been living, steals up-stairs, changes his clothes, and appears before the family, anxious, frightened, agitated, telling Jonsen he never felt so badly in his life; that he has got into trouble and is afraid he shall be taken. He cannot eat at breakfast, says "farewell forever," goes away and is shaved, and takes the train to Boston, where he provides

himself with new clothes, shoes, a complete outfit, but lingering, held by fate, he cannot fly, and before night the officer's hand is on his shoulder and he is arrested.

Meanwhile poor shuddering Maren on the lonely island, by the water-side, waits till the sun is high in heaven before she dares come forth. She thinks he may be still on the island. She said to me, "I thought he must be there, dead or alive. I thought he might go crazy and kill himself after having done all that." At last she steals out. The little dog frisks before her; it is so cold her feet cling to the rocks and snow at every step, till the skin is fairly torn off. Still and frosty is the bright morning, the water lies smiling and sparkling, the hammers of the workmen building the new hotel on Star Island sound through the quiet air. Being on the side of Smutty-Nose opposite Star, she waves her skirt, and screams to attract their attention; they hear her, turn and look, see a woman waving a signal of distress, and, surprising to relate, turn tranquilly to their work again. She realizes at last there is no hope in that direction; she must go round toward Appledore in sight of the dreadful house. Passing it afar off she gives one swift glance toward it, terrified lest in the broad sunshine she may see some horrid token of last night's work; but all is still and peaceful. She notices the curtains the three had left up when they went to bed; they are now drawn down; she knows whose hand has done this, and what it hides from the light of day. Sick at heart, she makes her painful way to the northern edge of Malaga, which is connected with Smutty-Nose by the old sea-wall. She is directly opposite Appledore and the little cottage where abide her friend and countryman, Jorge Edvardt Ingebertsen, and his wife and children. Only a quarter of a mile of the still ocean separates her from safety and comfort. She sees the children playing about the door; she

calls and calls. Will no one ever hear her? Her torn feet torment her, she is sore with blows and perishing with cold. At last her voice reaches the ears of the children, who run and tell their father that some one is crying and calling; looking across, he sees the poor little figure waving her arms, takes his dory and paddles over, and with amazement recognizes Maren in her night-dress, with bare feet and streaming hair, with a cruel bruise upon her face, with wild eyes, distracted, half senseless with cold and terror. He cries, "Maren, Maren, who has done this? what is it? who is it?" and her only answer is "Louis, Louis, Louis!" as he takes her on board his boat and rows home with her as fast as he can. From her incoherent statement he learns what has happened. Leaving her in the care of his family, he comes over across the hill to the great house on Appledore. As I sit at my desk I see him pass the window, and wonder why the old man comes so fast and anxiously through the heavy snow.

Presently I see him going back again, accompanied by several of his own countrymen and others of our workmen, carrying guns. They are going to Smutty-Nose, and take arms, thinking it possible Wagner may yet be there. I call down-stairs, "What has happened?" and am answered, "Some trouble at Smutty-Nose; we hardly understand." "Probably a drunken brawl of the reckless fishermen who may have landed there," I say to myself, and go on with my work. In another half-hour I see the men returning, reinforced by others, coming fast, confusedly; and suddenly a wail of anguish comes up from the women below. I cannot believe it when I hear them crying, "Karen is dead! Anethe is dead! Louis Wagner has murdered them both!" I run out into the servants' quarters; there are all the men assembled, an awe-stricken crowd. Old Ingebertsen comes for-

ward and tells me the bare facts, and how Maren lies at his house, half crazy, suffering with her torn and frozen feet. Then the men are dispatched to search Appledore, to find if by any chance the murderer might be concealed about the place, and I go over to Maren to see if I can do anything for her. I find the women and children with frightened faces at the little cottage; as I go into the room where Maren lies, she catches my hands, crying, "Oh, I so glad to see you! I so glad I save my life!" and with her dry lips she tells me all the story as I have told it here. Poor little creature, holding me with those wild, glittering, dilated eyes, she cannot tell me rapidly enough the whole horrible tale. Upon her cheek is yet the blood-stain from the blow he struck her with a chair, and she shows me two more upon her shoulder, and her torn feet. I go back for arnica with which to bathe them. What a mockery seems to me the "jocund day" as I emerge into the sunshine, and looking across the space of blue, sparkling water, see the house wherein all that horror lies!

Oh brightly shines the morning sun and glitters on the white sails of the little vessel that comes dancing back from Portsmouth before the favoring wind, with the two husbands on board! How glad they are for the sweet morning and the fair wind that brings them home again! And Ivan sees in fancy Anethe's face all beautiful with welcoming smiles, and John knows how happy his good and faithful Maren will be to see him back again. Alas, how little they dream what lies before them! From Appledore they are signaled to come ashore, and Ivan and Mathew, landing, hear a confused rumor of trouble from tongues that hardly can frame the words that must tell the dreadful truth. Ivan only understands that something is wrong. His one thought is for Anethe; he flies to Ingebertsens's cottage, she may be

there; he rushes in like a maniac, crying, "Anethe, Anethe! Where is Anethe?" and broken-hearted Maren answers her brother, "Anethe is—at home." He does not wait for another word, but seizes the little boat and lands at the same time with John on Smutty-Nose; with head-long haste they reach the house, other men accompanying them; ah, there are blood-stains all about the snow! Ivan is the first to burst open the door and enter. What words can tell it! There upon the floor, naked, stiff, and stark, is the woman he idolizes, for whose dear feet he could not make life's ways smooth and pleasant enough—stone dead! Dead—horribly butchered! her bright hair stiff with blood, the fair head that had so often rested on his breast crushed, cloven, mangled with the brutal ax! Their eyes are blasted by the intolerable sight: both John and Ivan stagger out and fall, senseless, in the snow. Poor Ivan! his wife a thousand times adored, the dear girl he had brought from Norway, the good, sweet girl who loved him so, whom he could not cherish tenderly enough! And he was not there to protect her! There was no one there to save her!

*"Did Heaven look on
And would not take their part!"*

Poor fellow, what had he done that fate should deal him such a blow as this! Dumb, blind with anguish, he made no sign.

*"What says the body when they spring
Some monstrous torture-engine's whole
Strength on it? No more says the soul."*

Some of his pitying comrades lead him away, like one stupefied, and take him back to Appledore. John knows his wife is safe. Though stricken with horror and consumed with

wrath, he is not paralyzed like poor Ivan, who has been smitten with worse than death. They find Karen's body in another part of the house, covered with blows and black in the face, strangled. They find Louis's tracks,—all the tokens of his disastrous presence,—the contents of trunks and drawers scattered about in his hasty search for the money, and, all within the house and without, blood, blood everywhere.

When I reach the cottage with the arnica for Maren, they have returned from Smutty-Nose. John, her husband, is there. He is a young man of the true Norse type, blue-eyed, fair-haired, tall and well-made, with handsome teeth and bronzed beard. Perhaps he is a little quiet and undemonstrative generally, but at this moment he is superb, kindled from head to feet, a fire-brand of woe and wrath, with eyes that flash and cheeks that burn. I speak a few words to him,—what words can meet such an occasion as this!—and having given directions about the use of the arnica, for Maren, I go away, for nothing more can be done for her, and every comfort she needs is hers. The outer room is full of men; they make way for me, and as I pass through I catch a glimpse of Ivan crouched with his arms thrown round his knees and his head bowed down between them, motionless, his attitude expressing such abandonment of despair as cannot be described. His whole person seems to shrink, as if deprecating the blow that has fallen upon him.

All day the slaughtered women lie as they were found, for nothing can be touched till the officers of the law have seen the whole. And John goes back to Portsmouth to tell his tale to the proper authorities. What a different voyage from the one he had just taken, when happy and careless he was returning to the home he had left so full of peace and comfort! What a load he bears back with him, as he

makes his tedious way across the miles that separate him from the means of vengeance he burns to reach! But at last he arrives, tells his story, the police at other cities are at once telegraphed, and the city marshal follows Wagner to Boston. At eight o'clock that evening comes the steamer *Mayflower* to the Shoals, with all the officers on board. They land and make investigations at Smutty-Nose, then come here to Appledore and examine Maren, and, when everything is done, steam back to Portsmouth, which they reach at three o'clock in the morning. After all are gone and his awful's day's work is finished at last, poor John comes back to Maren, and kneeling by the side of her bed, he is utterly overpowered with what he has passed through; he is shaken with sobs as he cries, "Oh, Maren, Maren, it is too much, too much! I cannot bear it!" And Maren throws her arms about his neck, crying, "Oh, John, John, don't! I shall be crazy, I shall die, if you go on like that." Poor innocent, unhappy people, who never wronged a fellow-creature in their lives!

But Ivan—what is their anguish to his! They dare not leave him alone lest he do himself an injury. He is perfectly mute and listless; he cannot weep, he can neither eat nor sleep. He sits like one in a horrid dream. "Oh, my poor, poor brother!" Maren cries in tones of deepest grief, when I speak his name to her next day. She herself cannot rest a moment till she hears that Louis is taken; at every sound her crazed imagination fancies he is coming back for her; she is fairly beside herself with terror and anxiety; but the night following that of the catastrophe brings us news that he is arrested, and there is stern rejoicing at the Shoals; but no vengeance taken on him can bring back those unoffending lives, or restore that gentle home. The dead are properly cared for; the blood is washed from Anethe's beautiful

bright hair; she is clothed in her wedding-dress, the blue dress in which she was married, poor child, that happy Christmas time in Norway, a little more than a year ago. They are carried across the sea to Portsmouth, the burial service is read over them, and they are hidden in the earth. After poor Ivàn has seen the faces of his wife and sister still and pale in their coffins, their ghastly wounds concealed as much as possible, flowers upon them and the priest praying over them, his trance of misery is broken, the grasp of despair is loosened a little about his heart. Yet hardly does he notice whether the sun shines or no, or care whether he lives or dies. Slowly his senses steady themselves from the effects of a shock that nearly destroyed him, and merciful time, with imperceptible touch, softens day by day the outlines of that picture at the memory of which he will never cease to shudder while he lives.

Louis Wagner was captured in Boston on the evening of the next day after his atrocious deed, and Friday morning, followed by a hooting mob, he was taken to the Eastern depot. At every station along the route crowds were assembled, and there were fierce cries for vengeance. At the depot in Portsmouth a dense crowd of thousands of both sexes had gathered, who assailed him with yells and curses and cries of "Tear him to pieces!" It was with difficulty he was at last safely imprisoned. Poor Maren was taken to Portsmouth from Appledore on that day. The story of Wagner's day in Boston, like every other detail of the affair, has been told by every newspaper in the country: his agitation and restlessness, noted by all who saw him; his curious, reckless talk. To one he says, "I have just killed two sailors;" to another, Jacob Toldtman, into whose shop he goes to buy shoes, "I have seen a woman lie as still as that boot," and so on. When he is caught he puts on a bold face and deter-

mines to brave it out; denies everything with tears and virtuous indignation. The men whom he has so fearfully wronged are confronted with him; his attitude is one of injured innocence; he surveys them more in sorrow than in anger, while John is on fire with wrath and indignation, and hurls maledictions at him; but Ivan, poor Ivan, hurt beyond all hope or help, is utterly mute; he does not utter one word. Of what use is it to curse the murderer of his wife? It will not bring her back; he has no heart for cursing, he is too completely broken. Maren told me the first time she was brought into Louis's presence, her heart leaped so fast she could hardly breathe. She entered the room softly with her husband and Mathew Jonsen's daughter. Louis was whittling a stick. He looked up and saw her face, and the color ebbed out of his, and rushed back and stood in one burning spot in his cheek, as he looked at her and she looked at him for a space, in silence. Then he drew about his evil mind the detestable garment of sanctimoniousness, and in sentimental accents he murmured, "I'm glad Jesus loves me!" "The devil loves you!" cried John, with uncompromising veracity. "I know it wasn't nice," said decorous Maren, "but John couldn't help it; it was too much to bear!"

The next Saturday afternoon, when he was to be taken to Saco, hundreds of fishermen came to Portsmouth from all parts of the coast, determined on his destruction, and there was a fearful scene in the quiet streets of that peaceful city when he was being escorted to the train by the police and various officers of justice. Two thousand people had assembled, and such a furious, yelling crowd was never seen or heard in Portsmouth. The air was rent with cries for vengeance; showers of bricks and stones were thrown from all directions, and wounded several of the officers who surrounded Wagner. His knees trembled under him, he shook

like an aspen, and the officers found it necessary to drag him along, telling him he must keep up if he would save his life. Except that they feared to injure the innocent as well as the guilty, those men would have literally torn him to pieces. But at last he was put on board the cars in safety, and carried away to prison. His demeanor throughout the term of his confinement, and during his trial and subsequent imprisonment, was a wonderful piece of acting. He really inspired people with doubt as to his guilt. I make an extract from The Portsmouth Chronicle, dated March 13, 1873: "Wagner still retains his amazing *sang froid*, which is wonderful, even in a strong-nerved German. The sympathy of most of the visitors at his jail has certainly been won by his calmness and his general appearance, which is quite prepossessing." This little instance of his method of proceeding I must subjoin: A lady who had come to converse with him on the subject of his eternal salvation said, as she left him, "I hope you put your trust in the Lord," to which he sweetly answered, "I always did, ma'am, and I always shall."

A few weeks after all this had happened, I sat by the window one afternoon, and, looking up from my work, I saw some one passing slowly,—a young man who seemed so thin, so pale, so bent and ill, that I said, "Here is some stranger who is so very sick, he is probably come to try the effect of the air, even thus early." It was Ivan Christensen. I did not recognize him. He dragged one foot after the other wearily, and walked with the feeble motion of an old man. He entered the house; his errand was to ask for work. He could not bear to go away from the neighborhood of the place where Anethe had lived and where they had been so happy, and he could not bear to work at fishing on the south side of the island, within sight of that house. There was work enough for him here; a kind voice told him so,

a kind hand was laid on his shoulder, and he was bidden come and welcome. The tears rushed into the poor fellow's eyes, he went hastily away, and that night sent over his chest of tools,—he was a carpenter by trade. Next day he took up his abode here and worked all summer. Every day I carefully observed him as I passed him by, regarding him with an inexpressible pity, of which he was perfectly unconscious, as he seemed to be of everything and everybody. He never raised his head when he answered my "Good morning," or "Good evening, Ivan." Though I often wished to speak, I never said more to him, for he seemed to me to be hurt too sorely to be touched by human hand. With his head sunk on his breast, and wearily dragging his limbs, he pushed the plane or drove the saw to and fro with a kind of dogged persistence, looking neither to the left nor right. Well might the weight of woe he carried bow him to the earth! By and by he spoke, himself, to other members of the household, saying, with a patient sorrow, he believed it was to have been, it had so been ordered, else why did all things so play into Louis's hands? All things were furnished him: the knowledge of the unprotected state of the women, a perfectly clear field in which to carry out his plans, just the right boat he wanted in which to make his voyage, fair tide, fair wind, calm sea, just moonlight enough; even the ax with which to kill Anethe stood ready to his hand at the house door. Alas, it was to have been! Last summer Ivan went back again to Norway—alone. Hardly is it probable that he will ever return to a land whose welcome to him fate made so horrible. His sister Maren and her husband still live blameless lives, with the little dog Ringe, in a new home they have made for themselves in Portsmouth, not far from the river-side; the merciful lapse of days and years takes them gently but surely away from the thought of that

A MEMORABLE MURDER

season of anguish; and though they can never forget it all, they have grown resigned and quiet again. And on the island other Norwegians have settled, voices of charming children sound sweetly in the solitude that echoed so awfully to the shrieks of Karen and Maren. But to the weirdness of the winter midnight something is added, a vision of two dim, reproachful shades who watch while an agonized ghost prowls eternally about the dilapidated houses at the beach's edge, close by the black, whispering water, seeking for the woman who has escaped him—escaped to bring upon him the death he deserves, whom he never, never, never can find, though his distracted spirit may search till man shall vanish from off the face of the earth, and time shall be no more.

1873: *THE MANY MURDERS OF THE BENDER
FAMILY*

OLD MAN BENDER'S ORCHARD

by William Bolitho

IN the Kansas papers on June 18th, 1872, the following advertisement appeared:

Professor Miss Kate Bender can heal disease, cure blindness, fits and deafness. Residence, 14 miles east of Independence, on the road to Osage Mission.

Behind it lay a story like those which still make the peasants of remote corners in Europe shiver as they sit round the fire. The sting of folklore, of witches, cannibals, evil innkeepers, and werewolves is somewhat dulled by intervening centuries. The story of the Benders is comparatively brand new, and the details are not blurred by generations of oral transmitters, but preserved on ice in matter-of-fact police records. Kate Bender was a rectangular, red-faced woman of twenty-four. Her father, Old Man Bender, and her brother were "large, coarse-appearing men." Her mother was a masculine, savage creature who, although sixty years old, could still do the work of a horse. They were a family of northern primitives, out of place where law and order were settled, pre-civilized, properly belonging to some age before man gave up the right to kill.

They lived off the beaten track, 18 miles from the bound-

ary of Kansas State, in a ramshackle frame-house, with a small half-acre orchard behind it. In the front of the house was a room where meals were served to wayfarers. The whole family had truck with ghosts and spirits, and neighbors, seeking a modern name for what with the Benders was a thing as old as savagery, called them "Spiritualists." Miss Kate was the youngest, and the leader of the family. They were naturally not popular, and no one of the surrounding district would have stayed a night in the Benders' Tavern for a fortune. The few who passed the remote shanty late at night had tales of the evil sounds that came from the inn. The place was so far from the beaten track, however, that rumour did not occupy itself often with the Benders. People had something more to do in Kansas in those days than to go worrying about a ghostridden family like the Benders.

Apparently the advertisement did not attract many to the inn. The journey was long and difficult, and it is not recorded that more than two or three sufferers came to try the supernatural powers of Professor Kate. Occasionally a stray voyager ate a meal there, but most, when asked, referred to the forbidding ways of the family, their habits of peeping and muttering together, and the surliness which seemed to possess the whole family.

In 1873, in the spring, Doctor William York left Fort Scott on horseback, on his way back to his home in Independence, Kansas, and disappeared. He was rich, and the leader of the little community where he lived. His family and the citizens, knowing his cheerful disposition, were certain that he had not committed suicide, and feared foul play. Search parties were sent out for him without any result. His brother happened to be a Senator, and spared no expense in hiring detectives, who scoured the whole

country. In the course of their wanderings they came to the township of Cherryvale, five miles from the Benders' tavern, where they had news of the doctor.

At Cherryvale most maintained that the doctor had likely fallen in with border bandits and come to some misfortune. No suspicion seems to have fallen on the Benders; the visit a party of mounted men made to the tavern seems to have been intended simply to ask if the family had seen the doctor pass. To their surprise, however, when they rode up to the door, there was no sign of life. The Benders seemed to be away, all the windows were shuttered. This party rode on, but another, some days later on the same road, was curious enough to go round to the back of the house to see what was to be seen. There a most curious and ill-omened sight met them. In a little paddock at the back were the dead bodies of several calves and hogs, dead of thirst and hunger. Before the Benders could have let this happen something strange indeed must have occurred. It is hard for townspeople to understand the instinctive care which peasants give to their stock—at once their capital and their livelihood. The Benders must have left not only for a grave reason, a reason of life and death, but in a most inexplicable hurry, not to have stopped to take down the fence-gate and give the beasts a chance for their lives.

With foreboding the party made further search, though still not daring to break door or window to enter the deserted house. It had been raining hard. In the small orchard they noticed that in a certain place the ground had settled very noticeably, and that the depression was in the form of a grave. They set to work and dug up the badly decomposed body of Doctor York. The skull had been crushed and the throat cut in a peculiar manner, somewhat, it was later discovered, as animals are slaughtered in certain rituals.

Before nightfall seven other bodies were exhumed, and some were later identified as follows: a horse-dealer, a lawyer, a tramp, an immigrant and his infant daughter. In each case the skull was battered to a pulp and the throat cut from ear to ear;¹ the little girl bore no marks of violence, and appeared to have been thrown, living, into her father's grave. The next day another girl's body was found, with long yellow hair. She had apparently been about eight years old. She had been butchered with extreme violence, and her bones were nearly all crushed. Later other bodies were found but not identified.

The officers then entered the house by force. They were met by an overpowering stench. It was easy to see how the crimes had been committed. A little booth was formed by an American cloth screen or partition, in which a bench and rough table were set. Here the wayfarers took their meals. The table was set so near the partition that the guest was forced to lean his head against the cloth and so allow the shape and position of it to be seen from behind. The brother or the father would then creep up with a stone-mason's hammer (also found in the house) and slay. In the middle of the floor was a trapdoor and a great hole from which the smell came. This was opened, and found drenched in congealed blood. Bodies were thrown into this after their throats had been cut—with what strange rites and observances only the Benders could have revealed.

¹ Mr. Bolitho's phrasing here seems influenced, perhaps subconsciously, by what William Roughhead terms "the bloody versicle" describing the far more prosaic murder at Elstree by John Thurtell in 1823:

They cut his throat from ear to ear,
His brains they battered in;
His name was Mr. William Weare,
He dwelt in Lyon's Inn.

—A. B.

OLD MAN BENDER'S ORCHARD

This they never did. Their fate is mysterious. The waggon in which they fled was tracked miles into the waste lands, and at last found, but empty. The hood was riddled with bullet holes, and splashes of blood were everywhere, but no trace of the family. While the detectives were searching for them, the crowd back in Cherryvale was doing ugly things, in its frenzy. They had caught a Mr. Brockmann, at one time a partner of Old Man Bender. As both were Germans, and once close friends, the crowd took him to the woods; there attempted to make him reveal the whereabouts of the horrible family. This he was unable to do. At any rate he was hanged and revived three times, and then allowed to go away. He is said eventually to have recovered.

A letter, received by a criminological investigator some years back in San Francisco, seems to throw as much light on the fate of the family as will ever appear. It runs:

Cherryvale, Kansas,

1910

Dear Sir,—Yours received. It so happened that my father-in-law's farm joins that of the Benders and he helped to locate the bodies of the victims. I often tried to find out from him what became of the Benders, but he only gave me a knowing look and said he guessed they would not bother anyone else. There was a vigilance committee organized to locate the Benders, and shortly afterwards old Man Bender's waggon was found by the roadside riddled with bullets. You will have to guess the rest.—I am, respectfully yours,

J. KRAMER, *Chief of Police.*

The mystery of their death remains. It is easier to unravel

than that of their precipitate flight. They were under no suspicion, and their precautions were such that no trace, had they remained, would ever have been found of their victims. Why did they kill? Sometimes, but not always, for money, for one or two of the bodies were tramps with nothing to give for the trouble of their slaying. The strange cuts in the throats of some of their victims were perhaps only a refinement of cruelty. Was it the Ghosts that drove the Benders away, leading to their discovery and ruin? The family were fervent, real believers in their own powers of evoking the dead. In that lonely house, with that smell, with those memories and the thought of what lay in the orchard, life must have been difficult for even the nerves of the Benders. Enigmatic, disquieting, primitive people—reminders that the race of ogres, witches, or traps for the unwary traveller, or pure wickedness, are not over. Europe in the 'seventies, as perhaps it is today, was throwing up its depths; remote corners, never touched by the quick race of civilization, in morals or nature, were being rediscovered, to the amazement of humanity, as the sudden droughts may reveal the bed of a river. Some day a greater than Gibbon will write the sociological history of the United States after the Civil War, in the Middle and Far West. Traces of European savages like the Benders, no doubt, appear from time to time in Europe. But the gigantic experiment of shipping the "backwoodsmen" of an old continent to a new virgin country, where they are freed suddenly from the repression of multiple authority, where everything still has to be organized and created, is something which strikes some imaginations as much as the long death-throes of an Empire.

1883: *THE MURDER OF ELODIE MÉNÉTRÉ BY
EUPHRASIE MERCIER*

**THE STRANGE CASE OF EUPHRASIE
MERCIER**

by H. B. Irving

IF the case of Albert Pel¹ presents many features that are fantastic and uncanny, these are, if anything, intensified in the strange relation of the murder of Elodie Ménétret. The circumstances of the two cases are in many respects similar. The sudden disappearance of Elodie Ménétret, and the disposal of her remains have many points of resemblance to those of Eugénie Meyer and Elise Boehmer. The uncanny eccentricity of Pel finds its complement in the sinister extravagance of the murderess, Euphrasie Mercier; both she and Pel in the course of their gruesome transactions may justifiably claim some measure of originality. But the story

¹ Albert Pel was a murderer of the not uncommon, Love-from-a-stranger type, who preys upon lonely women—a type notably represented in France by the great Landru and in this country by H. H. Holmes and Harry Powers. His trial was distinguished by one immortal fragment of dialogue: THE PRESIDING JUDGE: E. Boehmer disappeared on July 12th. On the 15th the whole house is suffused with a smell of rotting flesh, soon after with a smell of roasting flesh, and lastly, with a smell of chlorine. All these smells come from your floor. What were you doing?

PEL: Nothing. I was cooking my dinner.

Which may well be the source of Lord Dunsany's brilliant story of *The Two Bottles of Relish*.

—A. B.

of Euphrasie Mercier is heightened in its weird character by the grotesque chorus of her crazy relations, the mad sisters who envelop her nefarious proceedings in a morbid atmosphere of religious mania. These luckless creatures, dragged from place to place in the wake of their resolute sister, whom she tends and watches over with extravagant devotion, consitute the motive of her crime. Like some possessed tigress, Euphrasie Mercier guards her brood of idiots, and conceives and executes an atrocious murder to serve their pressing needs, herself a dangerous spirit that haunts but never passes beyond, the confines of insanity.

In the year 1882 Mademoiselle Elodie Ménétret, a lady forty-two years old, living in Paris, had the misfortune to lose her pet dog, Rigolo. Whilst still in the first agony of her affliction Mlle Ménétret happened to go into a boot-shop in the Boulevard Haussmann, to buy a pair of boots. As she was in the act of making her purchase, she saw a lady pass by leading a dog, in which she thought she recognized the lost Rigolo. Before, however, she had time to confirm her belief, the lady had disappeared. In her anxiety to recover her pet, Mlle Ménétret asked the woman who kept the shop whether she might return there for a few days to watch, in the hope that the lady with the dog that so closely resembled Rigolo might pass by again. The woman of the shop, whose name was Euphrasie Mercier, gave a ready consent. Needless to add, Mlle Ménétret fully availed herself of the permission accorded her, and, as a result of her visits to the shop in the Boulevard Haussmann, Mlle Ménétret soon became friendly with its mistress. The two women were not long in finding out that they both came from the same part of France, the department of the Nord, which lies in the extreme northeast of the country, touching the Belgian frontier. Euphrasie Mercier had a long and distress-

ing story to tell of repeated misfortune, of afflicted and dependent relatives, of the approaching collapse of the boot business; in the latter event, she said, she should try to find a place as lady companion. Mlle Ménétret, who was lonely and something of a "malade imaginaire," had recently bought a little house at Villemomble, in the neighborhood of Paris. Euphrasie Mercier seemed kindly, religious and unfortunate. When Mlle Ménétret finally took up her residence at Villemomble in the March of 1883, she engaged Euphrasie Mercier as her companion and housekeeper. Thus it was that out of the small beginning of the lost Rigolo, there sprang up an intimacy which cost Elodie Ménétret her life.

This life had hitherto been peaceable enough, if not strictly speaking respectable, one of those lives which, overshadowed at the beginning by some inglorious accident, seem unable to throw off the evil spell attaching to their unhappy birthright. The father of Elodie Ménétret had been killed in Africa in the course of some exploit of illicit love; his dishonourable death had slowly killed his wife, and left their children orphans. Elodie had been well educated, but her history, as one writer happily phrases it, had been the common history "of those young ladies who drift from music-lessons into dalliance." Before she reached the age of forty-two, she had entertained a certain number of lovers, and they had been comparatively generous lovers. Besides a permanent allowance made her by one of them, she had amassed a small fortune of some £3500. Such was the present state of the lady who had accepted the kind offices of Euphrasie Mercier.

Euphrasie Mercier was sixty when she met Mlle Ménétret. She also was one of an ill-fated house. Her father, who had given up teaching for spinning, had left a fortune of

more than £16,000, but it was a fortune doomed to be of little profit to his descendants. Of his five children, three were mad. Religious mania was the form of insanity that had possessed the Mercier family. The high-sounding names he gave to his children show something of the kind latent in the father; he called them Euphrasie, Zacharie, Camille, Honorine, and Sidonie. Of these the last three were unquestionably the victims of pronounced religious mania, believing themselves guilty of imaginary sins, writing extravagant letters to the Pope and their Bishop, in which they claimed to be in direct personal communication with God; the son Camille was firmly convinced that in the course of one night a steam-engine had absorbed his brain. Euphrasie and her brother, Zacharie, had alone escaped the family curse. Though the former was certainly eccentric, it was an eccentricity which stopped well short of insanity; what was religious mania in her brothers and sisters, became in her something like sinister hypocrisy; there was method in her occasional exaltation and her furious appeals to divine co-operation; if she called God as a witness or summoned him as her avenger, it was either to back a lie or gratify some settled hate. Euphrasie was cunning, resolute, and courageous, and devoted to her crazy relations, whom, she declared, heaven had committed to her charge. But she was never successful in business. By the year 1848 her management of the paternal inheritance had resulted in its complete dissipation.

Then began her wanderings, which extended as far as Vienna, in search of a livelihood for herself and the three daft ones, Camille, Honorine, and Sidonie. For thirty years this singular quartette led a precarious and nomadic existence, pursuing their erratic course over Central Europe and the South of France. In 1878 they found a temporary settle-

ment in the home of a Polish countess, inclined to charitable offices. But even her good-will was not proof against the arrogance and excitability of Euphrasie, and the idle vagaries of her half-witted brood. She was obliged to dismiss them from her house. It was then that Euphrasie started the boot-shop in Paris, whilst her brother and sisters were eking out a miserable existence in a neighboring apartment.

In 1882, when she first made the acquaintance of Elodie Ménétret, Euphrasie Mercier was sixty years of age. For nearly forty years she and her odd companions had tramped life; after four years of unsuccessful business the boot-shop was on the verge of bankruptcy—repeated failure seemed to promise no term to their fruitless wanderings. How if the adventure of the lost dog should prove the threshold of a haven of rest? Villemomble the last stage in their frantic progress?

Within a month from her arrival at Villemomble, Mlle Ménétret began to find her elderly companion rather alarming. She had been for some time a sufferer from nerves. In the boot-shop Euphrasie Mercier had been sympathetic enough with her condition, but in the new home the old lady, with her pale, wrinkled face and hooked nose, seemed to take a strange delight in exciting rather than allaying her mistress' affliction. She began to trouble and distress her with horrid relations of ghosts; she told how solitary women had been strangled in their beds by cruel murderers, to rob them of their gold. The poor woman became so apprehensive of some sinister design on the part of her weird companion that she summoned a neighbor, Mlle Grière. "The boot-maker frightens me," she said to her, "I have dismissed her, but she obstinately refuses to go, saying she only wants food and lodging."

The two women, in their agitation, drew up a list of Mlle Ménétret's jewelry and other valuables, of which Mlle Grière made a duplicate copy. This was on April 18th, 1883. On the 25th another friend calling at the house found it shut up, and could get no admittance. Elodie Ménétret was never seen again.

"Mlle Ménétret is dead to the world," said Euphrasie Mercier to all inquirers, "she has entered a convent, and I have sworn not to divulge the place of her retreat." The house at Villemomble was rigidly closed to every comer. In vain did the sister of Mlle Ménétret communicate her not unreasonable suspicion of some foul play to the Commissary of Police at Montreuil. Though that functionary went so far as to summon Euphrasie Mercier to appear before him, he was quite satisfied when the old lady produced a letter, which she said she had just received from Elodie, bearing the somewhat inconclusive date of "Wednesday evening." Euphrasie Mercier at the same time produced a document which she was pleased to style a "deed of gift." It said—"I quit France—I leave all to Mlle Mercier—let her transact my affairs." True, this document was somewhat formless, written in a hand that betrayed agony of body or agitation of mind, in fact a document full of unpleasant suggestion, but it was unquestionably in the handwriting of Mlle Ménétret, and that was sufficient for all practical purposes. Closer investigation seemed unnecessary, nay superfluous, to the Commissary of Police at Montreuil.

In the meantime the conduct of Euphrasie Mercier was marked by an assurance, which could only have arisen from very definite information on her part as to the whereabouts, and present circumstances and intentions, of her vanished friend. Less than a week after Mlle Ménétret was said to

have quitted Villemomble for ever, the idiot brood was installed there, and decked out with the clothes of the departed lady; other portions of her clothing were sold to a Jewish dealer. At first Euphrasie Mercier was reluctant to conclude the bargain with the Hebrew woman, owing to her strong anti-Semitic prejudices; and it was only when the latter promised to convert her daughter and marry her to an uncircumcised husband, that the zealous old lady finally agreed to the sale. In August of the same year Euphrasie Mercier made a journey to Luxembourg. There she visited a notary to whom she described herself as one Elodie Ménétret, a lady who had come to reside at Luxembourg. Having property at Villemomble in France, she wished to draw up a power of attorney in favor of a friend, Mlle Euphrasie Mercier, who was to administer her French property. The notary making some little difficulty as to her identity, Euphrasie Mercier stepped out into the street and soon returned with two witnesses—a musician and a hair-dresser—who, at a modest cost of five francs a head, were only too pleased to declare that this lady was indeed well known to them as Mademoiselle Elodie Ménétret. Fortified with her fraudulent power of attorney, Euphrasie Mercier returned to Villemomble, and did not hesitate to remind two gentlemen who made small allowances to Mlle Ménétret that their quarterly payments were overdue.

There was a particular bed of dahlias in the garden at Villemomble which Euphrasie Mercier strictly forbade the gardener to touch. Dogs were rigidly excluded from the garden, Mlle Mercier having a not unnatural prejudice against their too frequent habit of scratching up the flower-beds.

For two years Euphrasie and her three demented relatives were the sole occupants of the house at Villemomble,

but in 1885 their number was increased to six by the arrival of two visitors. One was Adèle Mercier, daughter of Euphrasie's brother Zacharie, and the other a certain Chateauneuf, an illegitimate son of the mad sister, Honorine, by a Comte de Chateauneuf. The latter was a red-headed and altogether unpromising youth, physically and morally unprepossessing; he had been living in Brussels, a deserter from the French army, and it was disguised as a woman that his aunt Euphrasie smuggled him to Villemomble. She regarded Chateauneuf with that intense and uncompromising affection which she lavished on all her immediate relatives. But, in this instance, that affection was to compass her utter ruin. In her blind devotion she failed to see that the youth was treacherous and hypocritical to the last degree. Though shortly after his arrival he ran away with his cousin Adèle, and married her at Brussels without his aunt's permission, Euphrasie readily forgave him, and welcomed the young couple back to Villemomble.

Chateauneuf was curious as well as treacherous, and he was not long in detecting that there was some mystery that oppressed and troubled the weak-headed denizens of his aunt's strictly secluded home. His gibbering aunts¹ kept letting fall odd sayings about the dead coming to life, and misfortune coming out of the garden; the power of attorney obtained by Euphrasie at Luxembourg seemed to him suspicious; the close watch set over one particular bed of dahlias, an extravagant precaution. He began to indulge in that dangerous intellectual operation known as putting two and two together, in spite of the obvious inconvenience that he saw it caused his loving aunt, Euphrasie. The more the estimable young man pondered, the more clearly it appeared to him that, if Elodie Ménétret had disappeared, she

¹ To be more horribly exact, his aunt and his mother.—A. B.

had disappeared within the four walls of his aunt's abode, and that the old lady knew something in regard to the vanished woman which she was particularly anxious to conceal. Euphrasie Mercier's own indiscretion finally resolved her nephew's doubts. Honorine, during the war of 1870, had embroidered a banner in honour of the Virgin Mary. This was now set up in the house at Villemomble, and candles were kept constantly burning before it. Euphrasie would on occasions prostrate herself in front of this banner. She would then kiss the ground sixteen times, crawling backwards all the while, after which, rising to her feet, she would throw open the window and cry out—"In the name of God, get hence, Beelzebub, Lucifer, and thou, Satan! hence with your legions of devils! Back, judges, commissaries, Assize Courts! Back, ye terrors that beset me! Back, phantoms of my garden! Family of Ménétret, rest in peace—in the peace of God, and the glory of the elect! Amen!" This singular ceremonial was not lost upon the assiduous Chateauneuf; it confirmed his blackest suspicions, at the same time constituting a base of operations from which to levy tribute on his affectionate aunt. But in her case avarice triumphed over affection. When Chateauneuf pressed Euphrasie for money, and threatened denunciation if his suit were rejected, he was met with an unflinching refusal. Thereupon the indignant virtue of the young man, hitherto not ineffectually stifled or concealed, broke into feverish activity. He withdrew to Brussels, whence he addressed two letters, one to the judicial authorities at Paris, the other to an uncle of Elodie Ménétret. The first was a dutiful, though reluctant information against his good aunt; in the second he declared with a fitting show of horror, that Elodie Ménétret had been poisoned with chemical matches, her body burnt and buried in the garden, and that he had

thoughtfully inscribed on the wall of the room in which she had been murdered, "Mademoiselle Ménétret killed here!"

In consequence of these communications Euphrasie Mercier was arrested and a judicial investigation opened. In a spot in the garden pointed out by Chateauneuf, the bed of dahlias so carefully preserved by Euphrasie Mercier from the attentions of man or beast, was found a quantity of charred bones, and some teeth, one of which had been stopped with gold. The medical experts declared the bones to be those of a woman of forty-five, the approximate age of Elodie Ménétret; and the lady's dentist, by referring to his books, proved that on one occasion he had stopped one of her teeth with gold. An examination of the bulbs of the lilies and dahlias which were buried with the bones, enabled an expert to fix the date of their disturbance as the spring of 1883, the time of the disappearance of Mlle Ménétret. In her bedroom some greasy stains were found in front of the fireplace; and the soot in the chimney was declared, after analysis, to contain matter similar to that found in the chimneys of restaurants where they are in the habit of cooking a quantity of meat. A knife and chopper were discovered in the house; but there was nothing in their appearance to suggest that they had been used for an improper purpose.

But there was one discovery made, which was significant under the circumstances, if not very cogent as a piece of evidence. This was a cutting from the *Figaro* newspaper of October 18th, 1881, giving the details of the murder of a priest at Imola in Italy. It had been stuffed behind a looking-glass. The following was the paragraph to which the attention of the magistrates was directed:

"What has become of the victim? The search for him has at last been successful. Yesterday the body of the priest was discovered in a pit of moderate depth that had been dug under the country house of Faella (the suspected murderer). It was buried at a depth of about eighteen feet and covered with a quantity of rice."

This story may have suggested to Euphrasie Mercier the method by which she was alleged to have concealed the remains of Elodie Ménétret.

If the direct evidence of the murder of Mlle Ménétret by her companion and housekeeper was of a rather slight description, circumstantially, a very strong presumption was raised in favour of her guilt. It was the same presumption as was raised in regard to the deaths of the two mistresses of Pel, whom he, in a fashion similar to that of Euphrasie Mercier, had declared to have departed from his house in a mysterious manner without leaving any address. As in that case, inquiries were made in all directions to find out the convent in which, according to the prisoner, Mercier, Elodie Ménétret was immured. But they were fruitless. On the other hand the proceedings of the prisoner, subsequent to the alleged departure of her mistress, were one and all those of a guilty person, desirous of hiding and profiting by some crime, and the discovery of the charred bones of a woman of Mlle Ménétret's age, coupled with the evidence of the nephew Chateauneuf, seemed to point very clearly to the nature of the crime which the old woman was so anxious to forget by prayer and invocation.

How, in what fashion, Mlle Ménétret, if murdered, had met her death was a secret known only to the prisoner; these two were alone in the house at the time. Whether she

was poisoned as Chateauneuf declared, or put to death in a more summary fashion, there was no conclusive evidence to show. If the bones in the garden were hers, her body must have been disposed of as Pel had disposed of that of Elise Boehmer, that is by dismemberment and burning in a stove. The family were evidently acquainted with the story of Pel, whose trial had taken place the year before the arrest of Euphrasie Mercier; for, when the bones were discovered by the police in the dahlia-bed, Honorine Mercier suggested that they must be the remains of the missing woman, Boehmer. There can be little doubt from the various hints and suggestions which the mad sisters were in the habit of dropping to different people, that they were aware that the house at Villemomble was haunted by the presence of some crime which their resolute sister was directly connected. Not only did they first arouse the inquisitive suspicions of Chateauneuf by their vague allusions to the mystery of the garden, but to an architect, who had come to the house at the request of Euphrasie Mercier to design some improvements, Honorine Mercier made a very damning statement. The architect, worried by the importunities of the mad sisters, who followed him about singing chants and invocations, in a moment of irritation asked Euphrasie why she did not get the Commissary of Police to take these women away. "Oh," said Honorine, "the Commissary indeed! If once he came here, Euphrasie would never see the light of heaven again!"

But, in spite of their evident knowledge of something sinister with regard to their elder sister, Honorine, Sidonie, and Camille were found to be too insane to be of any service to justice, and shortly after their arrest, they were all three shut up in the lunatic asylum of Sainte-Anne. Euphrasie alone was summoned to the bar to answer for the

murder of Elodie Ménétret. She, according to three eminent authorities on brain disease, was fully responsible for her acts; she was, they declared, certainly affected by the religious mysticism prevailing in the family, but in a very much less degree than her sisters, and not in a degree which interfered in any way with her capacity for rational crime.

On April 6th, 1886, the trial of Euphrasie Mercier commenced before the Cour d'Assises for the Seine department, sitting in Paris. M. Dubard, the Judge, who had presided over the first trial of Pel, presided also over this rather similar occasion. On the table reserved for the "pièces à conviction" was a large jar containing the charred remains dug up from the dahlia-bed, and declared by the prosecution to be those of Elodie Ménétret.

The searching questions of the President, Euphrasie met with fanatical resolution. True to family tradition, God was her ever-present stay and comfort, dictating all her actions, and ready to put her enemies to shame and confusion. By his orders she had purchased property; she declared that it was she, and not Elodie Ménétret, who had bought the house at Villemomble, and that she had purchased it with her own money and at God's direction, in order that it might serve her as a retreat before making a pilgrimage to Mount Nebo. "But," urged the President, "it was Mlle Ménétret who paid for it." "With 15,000 francs that I had lent her," retorted the prisoner.

President: Have you the receipt?

E. M.: No, I don't understand business.

President: As a matter of fact, you were her servant?

E. M.: We had agreed to let it appear so. I wanted to keep my pecuniary circumstances a secret from my family, whom I had been keeping all my life. I was getting old, and I wanted to reserve a part of my savings for God.

President: You took up your residence at Villemomble on March 30th, 1883?

E. M.: Yes, on a Saturday. Mlle Ménétret wished to go in on a Sunday, but I told her that that was unlucky.

The President pointed out to her that she had certainly produced a receipt, signed by Mlle Ménétret, for 15,000.00 francs, and dated 1878; but that unfortunately the watermark of the paper on which the receipt had been drawn up was dated four years later, 1882. The prisoner had presumably made use of a blank signature left behind by the dead woman. The Judge went on to recall to mind the fearful stories by which she had so worked on the fears of her mistress, and named an old gentleman to whom Elodie Ménétret had confided her state of terror. "An old thing of seventy-five!" exclaimed the prisoner, "who wanted to gobble her up and who said he was livelier than a young man of twenty-five!" In reply to the President she gave her version of Mlle Ménétret's disappearance—"She had made up her mind to flee the world. She was in love with a young man whom she could not marry. She worshipped him as the angels worship. Besides she was afraid to live in the house; sinister individuals had been seen skulking about the premises. One evening she threw herself at the feet of a priest, and the next day, after spending the night in burning her letters, she departed."

President: That is your version. You are aware, however, of what the prosecution allege? They say that Elodie Ménétret never quitted the house at Villemomble, that she was buried there, and that you murdered her.

E. M.: Impossible! I, who wouldn't hurt a cat or a rabbit! I, to kill a poor lady I loved so dearly!

President: Where is she?

E. M.: I don't know.

President: You have given many and various accounts of her whereabouts. You have said she was in Paris, another time in Belgium, then in Luxembourg, and Mecklenburg.

E. M.: She often changed her convent. I have seen her in the dresses of different sisterhoods. She used to write to me.

President: Where are her letters?

E. M.: I sent them all back to her by her own orders. She was dead to the world, and was afraid lest any indiscretion should divulge her place of retreat.

President: The police have made active inquiries in all the convents in France and the neighboring countries, but in vain.

E. M.: So I am told.

President: Have you seen her?

E. M.: Often!

President: Where?

E. M.: At night, once for an instant under the clock of the Gare du Nord.

President: Do you know of any convent where they would tolerate such escapades?

After questioning the prisoner as to a letter, purporting to come from Elodie Ménétret, but in reality a forgery by the prisoner, and taking her through the journey to Luxembourg to obtain the fraudulent power of attorney, the President arrived at the point in the story when the ill-omened Chateauneuf appeared on the scene. In 1885, after two years' residence at Villemomble, Euphrasie Mercier had lapsed into her usual state of pecuniary embarrassment, and had sent for her niece Adèle Mercier from the North of France, that she might make the house over to her by a fictitious transfer, and so avoid her liabilities. But the pris-

oner now explained that the real object of this transfer was to facilitate the marriage of her niece with her cousin, Chateauneuf.

President: You were very fond of your nephew, Chateauneuf?

E. M.: Yes, unluckily for me. All the same, the spirits had warned me that this child would be my ruin.

President: He was a deserter. You brought him from Brussels to Villemomble disguised as a woman?

E. M.: Not I, but his cousin Adèle. On her return I noticed that she seemed very tired. But I very soon understood her fatigue, when I saw that she and Chateauneuf occupied the same room at Villemomble.

President: What happened then? Was it that you talked too much? Did you betray yourself to, or confide in Chateauneuf? In any case he discovered your secret.

E. M.: What secret?

President: The death of Mlle Ménétret.

E. M.: Mlle Ménétret is not dead.

President: Chateauneuf acquired the firm belief that you had murdered her.

E. M.: He is conspiring with my enemies.

President: No, not that. He asked you for money, and, when you refused him, he denounced you to the judicial authorities.

E. M.: (in scared fashion)—Oh yes—yes, he wanted to go to America, and asked me to help him to get there. I said to him, "My child, I have no ready money, but when I have—" He would not wait. Satan had possessed him with a devil of greed.

President: It is significant that accompanying his letter to the Procureur was a plan of the garden at Villemomble, and particularly of the flower-bed beneath which he said the

remains of Mlle Ménétret would be found. And, as a matter of fact, they were found there.

E. M.: What were found? Enough bones to fill a pocket-handkerchief! . . . The garden is an old cemetery.

President: It is nothing of the kind. No other skeleton has been found there except that one, which is lying on the table there among the "pièces à conviction."

After the President had enumerated the various circumstances already given, which made in favour of the prisoner's guilt, the interrogatory concluded.

President: When, the day after the disappearance of Mlle Ménétret, your sister Honorine arrived at Villemomble you seemed to be worried. "I have just carried through a great work," you said, "the angels have helped me."

E. M.: I had tidied the garden and cleaned the walls. God has always given me strength when I have stood in need of it. For the last three days I have been in a dying state, unable to eat anything, yet today I have been able to speak to you for four hours on end, with nothing but a couple of eggs in my stomach. I am innocent. Act as your conscience shall direct you.

President: Your case has enjoyed an extraordinary publicity. If Mlle Ménétret is still living, she, whose virtue and piety you laud to the skies, she, whom you saw daily and with whom you have corresponded incessantly, she, your friend and confidante, would come to your deliverance, or at least would communicate with your judges, if she were so anxious to remain in absolute seclusion. Look at that skeleton (pointing to the bones on the table) and swear that those are not the poor remains of Elodie Ménétret.

E. M.: Before God, I swear it! I have never killed a soul, and when my time comes to appear before my Sovereign Judge, I shall go straight to Heaven!

The culminating interest of the trial was in the evidence of the prisoner's two relatives, her nephew Chateauneuf and his wife and cousin, Adèle.

"I am the daughter of Zacharie Mercier," said the latter. "My father lives in the department of the Nord. My Aunt Euphrasie persuaded me to come to Villemomble. She showed me the papers of Mlle Ménétret, said that she was her heiress, and that there was no fear of the lady ever returning to claim her sous. At Villemomble I was told that Euphrasie had found a treasure. My aunt showed me her will, which, she said, was made in my favour, on condition that I protected all the mad members of the family. 'When I die,' she added, 'you are to bury me in the garden—one may just as well sleep in the earth as in a coffin.'"

President: Did not your Aunt Euphrasie tell you that a very long time ago the garden at Villemomble had been a cemetery?

Adèle: No. It was my Aunt Honorine who said to me one day, "There are corpses in the garden. We must go and find the priest to bless them." Chateauneuf also knew a great deal. One day in my presence he looked hard at my Aunt Euphrasie, and said, "Terrible things will come to pass here. The dead will speak."

E. M.: (beside herself) You are mad, Adèle! How can you say such things before these gentlemen?

Avocat-Général: Did your aunt ever show you some hair that had belonged to Mlle Ménétret?

Adèle: Yes, sir, a long plait of blonde hair.

E. M.: It was a false plait! Wretched child, how can you say such things? I, who have been so good to you! You have deceived me! The Holy Virgin will punish you!

The witness was removed amidst the continued threats and curses of her frantic aunt.

Chateauneuf appeared on the third day of the trial. This truculent compound of vanity, cant, and malice created anything but a favorable impression, though his evil character made his extraordinary evidence the more probable. "I ought to warn you, gentlemen," said the President, addressing the jury, "that this man is an informer." "Yes," echoed his aunt, "and he is my nephew, the man who used to write to me as his beloved aunt."

Chateauneuf: (without looking at the prisoner) I am twenty-seven—I was brought up by my father. As a child I was quite able to reckon up my Aunt Euphrasie. She used to make me go on my knees, and then tell me I should see the Virgin Mary; but, as I was very naughty, I didn't see the Virgin, and got smacked instead. My mother, Honorine, was as mystical as my aunt. In 1878 I joined the army, where I greatly distinguished myself (he was a deserter). I then went to the United States. There I received letters from my Aunt Euphrasie. She told me that she had become rich, and made me promise to come back to her.

E. M.: That is true. By God's permission, I had recovered the money I had lost.

Chateauneuf: My aunt smuggled me into France. "You must come back," she said, "or I shall die!"

E. M.: You lie! You are a deep scoundrel. God will punish you.

President: Come to the facts. Soon after you entered the house at Villemomble, you guessed that Mlle Ménétret had been murdered?

Chateauneuf: I did. I wrote on the wall of her dressing-room, "Mademoiselle Ménétret killed here."

President: How was it that you found out this secret?

Chateauneuf: The power of attorney my aunt showed me struck me as suspicious. I asked her what had become of

Mlle Ménétret, and she could not tell me. Besides, I saw her constantly looking in the direction of the dahlia-bed. My religious scruples (cries of "Oh! Oh!" from his listeners) obliged me to try to discover how she had come into possession of her fortune.

President: Then you discovered this crime by a process of deduction?

Chateauneuf: Oh! I could play the spiritualistic game as well as they; I said that I had seen visions as well as they, and that the day would come when the dead would speak. I wanted to give them to understand that I had guessed at the murder.

E. M.: (enraged) Go on, talk on! Tell all your lies! You're wasting your time and these gentlemen's too. You have taken me in completely, I thought a man who had once been a Capuchin was sure to be honest.

Chateauneuf: At length I was able to point out the exact spot where the bones would be found.

E. M.: Bones buried by my enemies in the garden at Villemomble. God had forewarned me of it.

President: Why did you inform against your aunt?

Chateauneuf: For the salvation of her soul. I did not want her to burn for ever in hell-fire. I did not want the gates of Paradise to be closed to her because of an ill-gotten fortune. (Loud burst of laughter). Besides, I was acting in the interests of society. My aunt was intending to murder someone else in similar circumstances, at least so I believed. . . . In conclusion I left Villemomble and wrote to M. Kuehn, the head of the Detective Department.

E. M.: Wretch, you are my murderer! M. Kuehn died all of a sudden, because he sought to do me ill.

This disinterested protector of society and his aunt's ultimate salvation hurried from the witness-box that he might

not tarry in France until his free conduct had expired, when he would have been immediately arrested as a deserter. But before he left, the prisoner's counsel reminded the unselfish youth that he had been trying to sell in the purlieus of the court a penny leaflet entitled *The Mystery of Villemomble*, by Alphonse Chateauneuf. His wife was unable to escape without a final malediction from her energetic aunt. She had been recalled on some point in her evidence. As she was about to leave the box, Euphrasie thus addressed her: "You should not tell lies. I do not wish it, and I forbid it. You little hussy! The Devil possesses you! God commanded me to fast three days and three nights in order to drive the devil out of your body, you little Judas!" The only person to whom the prisoner addressed any words of kindness or approval was the Commissary of Police at Montreuil, who had so readily accepted her dubious explanation of the sudden disappearance of Mlle Ménétret. He was hailed as a "good Commissary," and rewarded by a kindly glance from the old lady's eyes.

In the course of the four days' trial, those facts with which the reader is already familiar were fully substantiated by evidence, which the prisoner, for all her appeals to heaven and hell, was powerless to shake.

On April 10th, after an hour and a half of deliberation, the jury found Euphrasie Mercier guilty of murder, theft, and forgery, but granted her extenuating circumstances. She was sentenced to the utmost punishment to which this verdict and her age could by law expose her, that of twenty years' imprisonment. Penal servitude is not inflicted according to French law on those over sixty years of age. The prisoner received her sentence in silence; the hopelessness of the situation made prayers and curses superfluous.

If Pel had chosen as his third wife Euphrasie Mercier,

no one could have declared the couple ill-assorted; and it would have been interesting to see which of the two first succeeded in getting rid of the other. It is curious that about the same time two people of very similar character should have resolved on almost identical plans of assassination; there could be no question of imitation, as the crimes of Pel were not made public until 1884, and Mlle Ménétret had been murdered in 1883. Euphrasie Mercier was on the whole the more successful of the two. In consuming the body of her benefactor, she avoided the extraordinary display of firelight which ruined Pel, and it was only treachery from within her own domestic circle that ultimately brought her within the clutches of the law. By a strange irony, one of the very relatives to whose welfare she was so passionately devoted, for whose sake she had murdered and robbed, acted as her betrayer; with all her cunning, she had unwittingly nourished in her bosom a serpent, even baser and more treacherous than herself. The only virtue she seemed to recognize, the ties of relationship, were as nothing to the perverted inclinations of her excellent nephew, Chateauneuf.

It was only however by fortunate accidents that Pel and Euphrasie Mercier contrived to escape a speedy retribution. The relatives of Pel's first wife shirked an inquiry into the cause of her death from a dislike of publicity; whilst, had the Commissary at Montreuil shown himself more energetic and less credulous, Euphrasie Mercier would not in all probability have enjoyed a two years' immunity from detection.

Pel and Euphrasie Mercier, though beyond doubt sane, were as surely eccentric. It is this atmosphere of eccentricity surrounding their horrid deeds that recalls irresistibly the weird creations of Poe or Lefanu; whilst the boding chorus

THE STRANGE CASE OF EUPHRASIE MERCIER

of Euphrasie's demented relatives is strongly suggestive of those strange and fateful beings that inhabit the palaces and parlours of the Maeterlinckian drama.

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A half a century later, Euphrasie Mercier and her mad kin served as the basis for one of the most successful and admirable murder plays of recent years, Ladies in Retirement by Edward Percy and Reginald Denham (New York, Random, 1940), two skilled artists in crime who had earlier played interesting variations on Lizzie Borden in Suspect. Euphrasie was notably interpreted on the stage by Flora Robson and in films by Ida Lupino.—A.B.

1889: *THE DEATH OF JAMES MAYBRICK*

THE LAST OF MRS. MAYBRICK

by Patrick Quentin

ON October 23rd, 1941, in a small, woodland shack between Gaylordsville and South Kent, Connecticut, a little old woman died. It was the lonely, inconspicuous death of an obscure eighty-year-old recluse, and her body might have lain long undiscovered had it not been for a kindly neighbor whose habit it was to supply her with the milk that she needed to feed her innumerable cats.

This neighbor, peering through the fly-spotted window pane, saw the crumpled little body lying dead amidst the filth and disarray with which, in life, she had chosen to surround herself. A cat or two, perhaps, nosing at one of the many grimy, milkless saucers, might have felt that life had changed for the worse. There was nothing or no one else to mourn the passing of this forlorn and eccentric character whom Gaylordsville and South Kent had known as Mrs. Florence Chandler.

"Mrs. Chandler," after a residence of twenty years, had become a familiar if somewhat shy figure in those parts, especially on the campus of the South Kent School where she was often seen, a dowdy, meagre little figure with a face wrinkled as a walnut, carrying over her spare shoulder a gunny sack stuffed with newspapers salvaged from aca-

demic ash-cans. These newspapers comprised almost her only form of reading matter. Once she had written a book herself, but that was long ago and South Kent School knew nothing of her as a woman of letters. Now, too poor to buy books, she was too proud to borrow them. As intellectual nourishment for her, therefore, there was nothing but old copies of the New York Times and an occasional Bridgeport Sunday Post.

"Mrs. Chandler's" gunny sack served another less literary purpose. On outgoing journeys it would often be filled with indeterminate scraps of food which were dumped at strategic points, usually on the school campus, for the delectation of the neighborhood cats. "Mrs. Chandler" had definite views on the care of cats. It was her belief that the summer folk went junketting off with the first fall of autumn leaves, leaving their cats to starve. Hence the amateur filling stations for orphaned pets.

This humanitarian impulse of "Mrs. Chandler's" was, on the whole, detrimental to the high seriousness of the South Kent students and a headache to certain members of the staff.

Headache! The word is pregnant. For when the kind neighbor discovered the pathetic body of "Mrs. Chandler" in the desolate New England shack, he had no idea that he was looking at all that remained of one of the world's greatest headaches. That tiny, dishevelled creature had, in her day, caused more headaches possibly than any woman since Helen of Troy. She had been a headache to several American Presidents; to Secretaries of State; to their wives; to many famous journalists; and to a vast army of organized American women. She had been more than a headache to one celebrated English judge, in that she is reputed to have pushed him off the teetering brink of his sanity. Indeed,

she had been a fifteen-year migraine to no less august a personage than the Queen-Empress Victoria.

And the name of that headache was Mrs. Florence Maybrick.

Mrs. Maybrick. To those in their carefree twenties, the name may ring a distant bell. To those in their thirties, it may conjure up dim memories of a murderess, an adulteress—or something interesting. To those over forty-five, Mrs. Maybrick will be remembered for what she actually was—an international incident.

She was born Florence Chandler in Mobile, Alabama, in 1862, and came from what is usually referred to as "good American stock," boasting among her forebears, direct and collateral, a Secretary of the Treasury, a Chief Justice, a bishop and two Episcopal rectors, co-authors of a work entitled: "Why We Believe The Bible." As an appendix to this illustrious list of ancestors, her mother had married, a second time, the Baron Adolph von Roques, a distinguished German officer of the Eighth Cuirassier Regiment. Little Florence was educated, partly in America, partly abroad, by a succession of the most impeccable "masters and governesses." Nothing had been overlooked that might insure for her a cultivated and ladylike future.

As it happened, however, these fair beginnings did not help her much, for, from an early period, Florence Chandler was dogged by bad luck. At the age of eighteen, when the other Mobile maidens of her generation were fluttering toward good clean American romance, it is reliably reported that Florence, during a rough Atlantic crossing, stumbled on the sundeck of the liner carrying her to Europe. She stumbled and fell—literally and catastrophically—into the arms of a Cad, an English cad, at that. And, after all, the English invented the word.

The Cad was James Maybrick; he was old enough to be her father; and he married her. Probably it was the least caddish thing he ever did. But it was an ill day for Florence.

The April-October romantics lived for a while in Norfolk, Virginia. But Florence's dark angel soon put a stop to that and, through difficulties concerning James Maybrick's business, shuttled them off to a suburb of Liverpool, England, a city where almost anything unpleasant is liable to happen.

The unpleasantness soon set in. James, reverting to Caddishness, started going merrily to hell with the belles and race-horses of Liverpool. And Florence, a young mother though still quite "unawakened," started herself to toy with the idea of the Primrose Path or, as the Victorians called it, "going her own way." It is even reported that she went her own way into a London hotel bedroom with an anonymous gentleman, but at this far date it would be rancorous to cast stones—particularly when one remembers James.

For James was going from bad to worse and from worse to worst. Eventually he reached a peak of Victorian depravity from which there was no going back and little going forward. He took to drugs. Not exclusively, however, to the conventional cocaine or the hackneyed hashish. James was too exotic for that. He favored the heavy metals. And his pet pick-me-up was arsenic. With increasing frequency he began to patronize the Liverpool chemist shop of a Mr. James Heaton where he would replenish his stock of *liquor arsenicalis*—an arsenic solution which he imbibed sometimes as often as five times a day. He found it just the thing for that morning-after queasiness.

Oddly enough, while Mr. Maybrick was guzzling arsenic to repair the ravages of his dissipations, Florence had de-

cided that arsenic was just what she needed as a skin lotion to repair the facial ravages caused by her unhappy married life. To obtain this unusual cosmetic, she is reputed to have soaked arsenic out of fly papers (the old-fashioned sort), a rather messy procedure at which she was unfortunately observed by one of the maids, a certain Alice Yapp, who eventually became as loquacious on the subject as her name might indicate. Why Mrs. Maybrick needed to endure the sufferings of soaking fly-papers *pour être belle* [to make herself beautiful] is a mystery since, at a later date, enough professionally-prepared arsenic was found in the house to poison a whole Panzer Division.

The Maybricks were distinctly an arsenic-conscious family.

In May, 1889, James, a gay dog to the end, went to the Wirrall Races, got wet and returned home next morning feeling very sick to the stomach. For religious reasons and for the sake of the two young children, the Maybricks had manfully tried to gloss over the shortcomings of their marriage and were still living in technical harmony. James was put to bed, visited by a doctor and, in due course, provided with a day nurse and a night nurse, Nurse Gore and Nurse Callery. Florence, however, guided by a stern sense of duty, was not willing to leave her ailing husband to the care of strangers. She herself was a frequent visitor to the sick room. According to the nurses, she was too frequent a visitor. While James went on feeling sicker and sicker to the stomach, she would try to tempt him with little delicacies of her own contriving, much to the disgust of the dietetic Nurse Callery. Also she developed a nervous habit of shuffling bottles and medicaments around on the patient's bedtable. Her sickroom manner was later described as "both suspicious and surreptitious." And she does seem

to have behaved in a rather silly fashion. One of the silliest things she seemed to have done was to bring together a bottle of Valentine's Meat Juice and a pinch of some white powder, believed by many to have been arsenic.

It is hardly startling that, in spite of the ministrations of Nurse Gore and Nurse Callery, in spite of his wife's tender solicitude, James Maybrick did not improve. On the 11th of May, 1889, he finally passed away.

Since he had shown symptoms suggesting irritant poisoning, officious busybodies insisted upon an autopsy, and arsenic was found—not surprisingly, perhaps—in his body. Actually, the amount discovered was merely one tenth of a grain, a dose not sufficient to kill a normal respectable citizen, let alone James. But people feeling the way they do about arsenic in stomachs, Mrs. Maybrick was arrested and charged with the murder of her husband. Immediately all the silly things she had done around the bedside came to light. Alice Yapp remembered the fly-papers. And, before long, the anonymous gentleman and the London hotel bedrooms were dusted off too.

Florence's bad luck again.

To make matters worse—a sorry fact due perhaps less to bad luck than bad management—Mrs. Maybrick began to discover that nobody liked her. Her husband's two brothers had never been able to abide her. Now they acted in a most high-handed and spiteful manner, whisking off her children and branding her even before she was accused. Also, Alice Yapp, her fellow servant, Mrs. Briggs, Nurse Gore and Nurse Callery showed the most unfriendly symptoms. They had nothing to say in Mrs. Maybrick's favor and seemed to take savage delight in bringing out evidence to her discredit.

Later, when she was brought to trial, the English public didn't like her either. There was something about her.

Perhaps her American blood had a little to do with it. In the Golden Jubilee years of Victoria, American women were frowned upon in England. And the Queen consistently snubbed them when they came to court. Perhaps they dressed better, looked smarter and managed to be more amusing than their stolid English sisters. Even the most impeccable Victorian male was not above rolling an appreciative eye at them, so long as they stayed out of trouble. But once they were in the soup, the men were as ready as the women to trace the scarlet A blazing forth beneath the chic American camisoles.

As if this weren't bad luck enough, Mrs. Maybrick had bad luck with her jury and terrible luck with one aspect of her defense.

The jury, consisting mostly of simple-natured men, were not the type accustomed to think for themselves on nice points of law. Their professions, perhaps, speak for them. There were three plumbers (three of them!), two farmers, one milliner, one wood-turner, one provision dealer, one grocer, one iron-monger, one house-painter (at that time no ominous trade), and one baker.

In preparing her defense against this literal-minded group of her peers, Mrs. Maybrick was advised not to bring forward any evidence as to the true character, the immorality, the dissipation, the general caddishness of her husband. Sentimentalists have held this as a virtue in Florence Maybrick that she adhered so rigidly to the principles of *de mortuis nil nisi bonum* [of saying nothing bad about the dead]. Actually, it was the smart, but not smart enough, idea of her solicitors that the less James was discredited, the

less apparent motive there would seem for his wife's having wanted to murder him.

In consequence of this blunder in psychology, Mrs. Maybrick faced trial as an American hussy who had mistreated and deceived a perfectly good English husband, a man, as far as the jury knew, without a blemish on his character. To add to her troubles, her star witness, Mr. James Heaton, the chemist from whom Mr. Maybrick had so constantly purchased his swig of *liquor arsenicalis*, was so sick when he came to court that his vital evidence was all but inaudible. Even the brilliant rhetoric of her attorney, Charles Russell, later Lord Chief Justice Russell, could not soar above these obstacles.

And, as a final disaster, Mrs. Maybrick was not merely facing trial, she was facing Mr. Justice Stephen on the bench. In the light of his future career, which ended one year later in the mad house, Mr. Justice Stephen was a little more than even the most callous of murderesses deserved. This once illustrious personage was already losing grip on his sanity before the trial started; all he needed to complete the process was Florence Maybrick. From the beginning he liked her no better than anyone else had. As the trial limped along with no one exactly knowing who did what, his dislike for her swelled within him until it reached almost psychopathic proportion. This manifested itself finally, in his summing up, as a two-day harangue of impassioned malignity and misogyny. In one of the most biased speeches ever to come from the English bench, he referred to poor Mrs. Maybrick as "that horrible woman" and branded her as the epitome of all that was vile. Startling even the prosecution, he vindictively maneuvered the Valentine's Meat Juice and a certain bottle of glycerine around until he left no loophole for the unlucky woman's innocence.

As obedient Britons, the jury did not hesitate in following the guidance of a Social Superior. As a man, the three plumbers, the two farmers, the milliner, the wood-turner, the grocer, the iron-monger, the house-painter and the baker brought in a verdict of guilty. Judge Stephen—with a certain rather lunatic satisfaction, perhaps?—donned the black cap and pronounced that Florence Maybrick should be hanged by the neck until she was dead.

A short time later he was himself pronounced insane.

The verdict, coming after a trial in which nothing seemed to have been proved one way or the other, staggered England. It staggered the world. In a few weeks hundreds of thousands of people had signed petitions for Mrs. Maybrick's reprieve. Public opinion, in the face of what seemed like gross injustice, swung round to her side. Florence was popular at last.

For two or three weeks she lived (to use her own ill phrase) "in the shadow of the gallows." Finally, a little intimidated perhaps by the general clamor, Mr. Matthews, the home secretary—for there was no Supreme Court of Criminal Appeal at that time—retried the case in camera and commuted Mrs. Maybrick's sentence to one of penal servitude for life. His reasons for this clemency were that:

"inasmuch as, although the evidence leads to the conclusion that the prisoner administered and attempted to administer arsenic to her husband with intent to murder him, yet it does not wholly exclude a reasonable doubt whether his (James Maybrick's) death was in fact caused by the administration of arsenic."

In other words, Mr. Matthews was of the opinion that Mrs. Maybrick had been guilty of attempting to kill her

husband with arsenic although it wasn't certain that he had died from arsenical poisoning. This charge was something Mrs. Maybrick had not even been tried for during a court procedure at which nothing had been proved beyond the fact that James was dead—a sad eventuality which had been common knowledge before ever the slow-moving wheels of the law had got under way. If that wasn't bad luck—what is?

Whether or not Mrs. Maybrick was guilty, and of how much, is no longer calculable. That she was grievously wronged is beyond doubt. The English bench has never been noted for its chivalry or its leniency toward women accused of murder, particularly where there is also a whiff of adultery. Mrs. Thompson, of the haunting love letters, and other sisters in misfortune reached the gallows as adulteresses rather than murderesses. Mrs. Rattenbury alone, that poor darling with her fatal attachment to the boy chauffeur, had a fair deal in this respect. But prudish public opinion soon snuffed her out as efficiently as the hangman's rope.

If Mrs. Maybrick learned one thing from her dismal experience, it was that virtue pays dividends when a lady happens to get mixed up in an English murder trial.

That London hotel bedroom turned out to be very expensive.

Mrs. Maybrick proceeded from one squalid penal institution to another, suffering all the hardships of a habitual and vicious criminal, conspicuous among which was a period of nine months' solitary confinement. But though her memory had been rinsed off the disdainful hands of British justice, she was not forgotten. Soon a tornado broke from the other side of the Atlantic. American Woman was just beginning to realize herself as a Cosmic Force in 1890. American

journalism was making itself felt in Europe. And American public opinion was beginning to mean something.

Petitions thick as fleas started to pester various, successive Home Secretaries. In England, Lord Russell himself was active on her behalf, stalwartly proclaiming her innocence. From this side, Presidents, ambassadors and their wives, notables in all walks of life signed formidable statements, one of which, penned by no less a figure than the Honorable James G. Blaine, is worthy of quotation since, with magnificent daring, it snatches the garland of "snobisme" from its traditional resting place on the coronetted British heads and hurls it back like a boomerang across the Atlantic. Mrs. Maybrick, writes James G. Blaine, was guilty of no crime other than that:

"she may have been influenced by the foolish ambition of too many American girls for a foreign marriage, and have descended from her own rank to that of her husband's family, which seems to have been somewhat vulgar. . . ."

This blast at the Maybricks' social position was paralleled in the North American Review by the famous American newspaper woman "Gail Hamilton" who addressed an open letter to Queen Victoria protesting Mrs. Maybrick's innocence, inveighing against her unfair treatment and begging for her release. But Gail Hamilton and the Honorable James G. Blaine received like treatment. The Queen was neither amused nor interested.

Finally, however, one Home Secretary, Lord Salisbury, goaded beyond endurance by these transatlantic stabs at British justice, parried with a nettled and emphatic state-

ment which might have been penned by the Queen herself. It read in part:

"Taking the most lenient view . . . the case of this convict was that of an adulteress attempting to poison her husband under the most cruel circumstances while she was pretending to be nursing him on his sick bed. The Secretary of State regrets that he has been unable to find any grounds for recommending to the Queen any further act of clemency towards the prisoner. . . ."

The women of America continued their losing battle with the stubborn little woman who ruled England. Mrs. Maybrick's mother, the Baroness de Roques, is reputed to have spent a fortune in an attempt to have her daughter freed.

All to no purpose, however. Florence served out her sentence, penal servitude for life usually being taken to mean twenty years with three months off a year for good behavior.

She was finally released in July, 1904. On August 23rd, shaking the dust of England off her skirts for ever, she arrived in New York.

Life held little for her. Both her children, whom she had not seen since the day of her husband's death, had died themselves. Her mother died penniless shortly afterwards. In sore need of money Florence Maybrick wrote a book—*"Mrs. Maybrick's Own Story,"* published by Funk and Wagnalls in 1905. In this she sang a dismal ballad of atrocities in English gaols and amassed formidable evidence of her own innocence. It is a lugubrious work, filled with lamentable cliches and poignantly trying to arouse interest in something which once had been a headache but was now only a bore. People read it for its possible sensational-

ism. They were no longer interested in Mrs. Maybrick's misfortunes *per se*. For a while she tried to lecture, largely about conditions in English prisons, but it did not go so well. After a while she began to realize (as Lizzie Borden, settled with her squirrels at "Maplecroft," had already realized for many years) that people do not take kindly to women who have faced a capital charge, even if they have been shockingly wronged.

Poor Florence. They were back not liking her again.

For several years, in Florida and Highland Park, Illinois, she stubbornly retained her married and now infamous name. But about twenty years before her death, she gave up an unequal struggle. Destroying all records of her past and reverting to her maiden name of Florence Chandler, she withdrew to a life of virtual solitude in the tiny three-room shack she had built for herself in the Berkshire Foot-hills.

There, unknown to her neighbors, she lived on, accepted by the community and, with the years, acquiring from successive generations of South Kent boys the harmless nicknames of "Lady Florence" and "The Cat Woman."

South Kent and Gaylordsville have none but kindly memories of her. There were rumors, at times, of course, as there must be about any lonely little old lady who lives a secluded life, rumors that someone had left her a vast fortune; that a lawyer in a limousine with a liveried chauffeur appeared at regular intervals to bring her checks. But these were rumors without malice and, unhappily, without foundation in fact, for she died penniless save for an old-age pension finally wooed out of the government.

South Kent and Gaylordsville remember her as the little scurrying woman with the walnut face, the gunny sack and one loyal and indestructible brown straw hat. To them, she

was eccentric, yes. It was eccentric in her that she would let no one enter her house; that, at night, there was always a single light twinkling from her window till morning—to exorcise what demons?—and that with age she had let slip in her squalid little home the niceties of hygiene. But to her neighbors, Mrs. Chandler's eccentricities bore no sinister stamp. It was cute rather than grotesque when, fighting against the loss of one of her few remaining teeth, she tied it to its nearest partner with a piece of string. She did no harm, except perhaps to leave a little too many scraps in the wrong places for the campus cats. The South Kent boys liked her.

And they never knew, until the day she died, that the woman they were liking was that most magnificently unliked of women—Mrs. Florence Maybrick.

Which leads to the only really comforting feature of this long and uncomfortable life. There in the little village of South Kent and Gaylordsville, Mrs. Florence Maybrick found good luck at last—good luck of so sensational a nature that in a way perhaps it neutralized all the tough breaks she had endured earlier.

Mrs. Maybrick was able to spend the last twenty years of her life unpersecuted. And yet, had things gone other than the way they did, this lengthy stretch of tranquillity might never have been granted her.

Shortly after her arrival, a neighbor, a Mrs. Austin, was kind to Mrs. Maybrick and, to show her gratitude, Mrs. Maybrick gave her a dress which was trimmed with really good lace. It was undoubtedly the dress in the famous "wedding" photograph and to the cynical will perhaps give further proof that there is a real affinity between old lace and arsenic.

When Mrs. Austin shook the padding which stuffed the

shoulders of this dress, there dropped out a cleaner's card reading: *Mrs. Florence Maybrick, Highland Park, Ill.* The name struck a chord in Mrs. Austin's memory. She consulted a sister who in turn consulted a female probation officer in the district. Before long these three women and the two married ladies' husbands knew all the unhappy tale of Mrs. Florence Maybrick. A family council was called; the evidence was weighed; and it was decided that she had suffered more than enough already. The Austins and their in-laws thereupon made a vow never to show by word or hint that they knew the real identity of the new arrival.

And so, from the start, "Mrs. Chandler's" future was in the hands of this small group of people. Miraculously, those people kept their vow for twenty years. Never once, at church socials, at whist drives or quilting parties or at the grocery store, did one of those three ladies succumb to the almost irresistible temptation of launching the juiciest piece of gossip in ten counties.

More power to these gallant ladies of Gaylordsville, so very, very different in character from Alice Yapp, Mrs. Briggs, Nurse Gore and Nurse Callery! More power to these gallant ladies of Gaylordsville who refrained from giving a bad name to a forlorn stray who once had been almost hanged for it!

This was the astounding piece of good luck which came at last and enabled Mrs. Maybrick to reach the grave, unwept, perhaps, unhonored, but at least—unstoned.

On Saturday, October 25, 1941, "Mrs. Chandler" was soberly buried on the South Kent Campus. It had been her own request. Five of the students, boys of "good stock"—shades of Florence's own beginnings!—were her pallbearers. These boys, whom a local newspaper with misprinted en-

thusiasm termed "Socialists from the swank South Kent School," carried her to her last resting place. And there, as if a final hand from the grave beckoned her back to respectability, her coffin lies next to that of Miss Doylan, an old friend and beloved South Kent Housemother.

R.I.P. Mrs. Florence Chandler Maybrick.

And good luck to you—wherever you are!

* * * * *

The Maybrick case has been novelized by Anthony Berkeley in The Wychford Poisoning Case (Crime Club, 1930). The form chosen is unfortunately that of the mystery novel, to which the case is ill-suited. The surprise revelation at the end that the "murder" was the result of a hypochondriac's overdosings seems tame and flat. One may wish that the case had fallen rather into the hands of Mr. Berkeley's alter ego, Francis Iles. The case was dramatized, while it was still fresh, by Sydney Grundy under the title A Fool's Paradise. The role corresponding to Mr. Maybrick, it is pleasing to note, was created by H. B. Irving (see p. 203) (IRVING), who later so admirably edited the Trial of Mrs. Maybrick (Day, 1927).—A. B.

1892: THE MURDERS OF
ANDREW JACKSON BORDEN AND
ABBY DURFEE BORDEN BY X

THE CASE FOR LIZZIE

OR

A THEORETICAL RECONSTRUCTION OF
THE BORDEN MURDERS

by Q. Patrick

I make no apology for advancing my theory on the Borden murders. It has occupied me for many years, and my only regret is that I never had the opportunity to discuss it with that Borden expert, the late Mr. Edmund Pearson. Some time ago I sent him a rough draft of my thesis and received a courteous and interested reply. He told me that, whereas many "solutions" had been offered, mine was a new and original one. He assured me that, so far as he knew, I had in no sense transgressed against facts, and he acknowledged the possibility and plausibility of my argument, while tacitly admitting that it did not agree with his own. Finally, to my delight, he invited me to come and see him in New York. The very week I had planned to go, I read the unhappy news that he was dead. And so the world lost a great criminologist, a fine prose writer, and the notable Lizzie Borden "Fan" of all time. In a forlorn hope that his mantle may descend, if but rustlingly, upon me, I humbly offer my own "solution" of the case.

ON a swelteringly hot day, August 4, 1892, Mr. Andrew Jackson Borden (69) and his second wife Mrs. Abby L. Durfee Borden (62) were found dead in their home at No. 92 Second Street, Fall River, Mass. They were, in life, an unloved and an unlovely couple. In death, they presented an unlovely spectacle since, in both instances, their skulls had been battered by some "sharp cutting instrument, presumably an ax." Much blood had been spilled, but the wounds, though numerous, were "such as might have been made by a woman or relatively feeble person." Medical testimony showed that Abby Borden had been killed between 9 A.M. and 9:45 A.M. while tidying up the spare bedroom. Her husband met his death approximately an hour and a half later, somewhere around 11 o'clock, while resting on the living room couch after the heat of a morning walk.

In due course, and for many excellent reasons, Mr. Borden's younger daughter Lizzie (32) was arrested on a charge of wilful double murder and, after various hearings and a period of incarceration, was tried by a jury of her peers. On June 20, 1893, she was—also for many excellent reasons—acquitted of both charges and went her way. But not rejoicing. Rich while comparatively young, she was destined to walk in loneliness and contumely for the remaining 34 years of her life. She died on June 1, 1927, and lies in the same vault as her murdered parents in Fall River cemetery.

So much for the stark facts. The circumstantial details are a source of constant fascination to all amateurs of crime.

The household, at the time of the tragedy, consisted of Mr. Borden, an unpleasant man whose very considerable wealth (accruing partly through the undertaking business, partly through skinning the widow's mite) had brought

him neither the respect nor the affection of his neighbors. His picture shows a harsh face and a cruel, straight-line mouth, framed with unprepossessing chin-whiskers. He grudged his wife's doctor bills, and gave up his seat in church because one of the warders raised his tax assessment. The only possible point I can make in his favor is that he showed a certain sense of financial responsibility towards his daughters.

In the favor of his wife, Abby, I can find nothing to say. Lizzie aptly described her as a "mean old thing." Even the defense counsel in the trial could find no word of praise for her. She was plain and monstrously fat, weighing over 200 pounds while only 5 feet in height. Sloppy in her personal appearance, she was an atrocious housekeeper (witness the warmed-over mutton and other gastronomical horrors served at that last grim breakfast) and a whining, possibly grasping woman. In short, she deserved her spouse, and while common decency prevents me from saying that she deserved her fate, I have always felt some surprise that she avoided the ax for 62 years—especially during the dog days.

Then there was Emma, the older daughter, a spinster of over forty, who is almost classic in her complete insipidity. Her infrequent flashes of character came out solely in her intense dislike of her step-mother and her valiant defense of Lizzie at the trial, which probably turned the scale finally in her sister's favor.

The work of the house was done by an Irish girl whose name was Bridget Sullivan but who was known to the family as Maggie, a sort of generic name inherited from a predecessor. Apparently she had none of the imagination or whimsy so common in her race. She was a plain, uninteresting girl whose dreams (if any) centered around work adequately finished, her morning "lie-down" or an occa-

sional popping out for a dress length from a local emporium. Though occasionally obliged to chop wood, it is unlikely that ax-play formed any part of her recreation.

The whipping-boy of the piece was a certain Mr. John Morse, brother of the first Mrs. Borden (deceased), and thus maternal uncle to Emma and Lizzie. He happened to be staying with the Bordens on a brief visit during which he transacted certain business deals for his brother-in-law. His historic interest lies in his sheer fortuitousness; the accident that he slept in the fatal spare bedroom the night before Abby was killed; and the fact that he was seized upon as the culprit by the indignant denizens of Fall River and almost mobbed. I hope to show that he wasn't such an accident as he seemed. Being an officious busybody, and interested in other people's property—especially their testaments—he was perhaps a catalytic agent; the spark that set off a ruddy conflagration.

Last, but certainly not least, there was our heroine, Lizzie. Lizzie Andrew Borden, the chaste delight of Reverends Jubb and Buck, the local ministers. Lizzie, the flower of the ladies flower guild; Lizzie, the 32-year-old spinster against whom no word of scandal had ever been breathed. Though many delicious fables had since sprung up round her name, in 1892 there was not one scintilla of real evidence to show that she was a woman of violence or stormy passions. Mrs. Belloc Lowndes endowed her with a mysterious lover whom she met during a trip to Europe. There is no evidence for this at all. John Colton and Carlton Miles, the authors of *Nine Pine Street*, plump for a clerical boy friend; but both her clerical soul-mates (Revs. Jubb and Buck) had perfectly good wives of their own, and loved Lizzie only for her hard and good works and for her subsequent notori-

ety. Psychologists have credited her with a mother complex, a raft of sex-perversions, and all sorts of Freudian fancies. There is no known justification for such charges.

Energetic she certainly was. Outspoken, too, with an almost male efficiency in the handling of money. Her friends were older women and her interests were—in common with countless other women who have lived and died—church work, clothes, and mild entertaining. It is my firm belief that she was a clear-headed, un-murderous young woman, with an intense respect for her pastors, her family name, and the good opinion of her neighbors. And she lived and died as such. As for marriage—it can only be stated that when she achieved notoriety and fortune she could have had her pick of countless males. But she chose to remain a spinster.

So much for the *dramatis personae*. Now for the locale. Number 92 Second Street was—and still is—a rather ugly frame house like many thousands of others in Fall River and elsewhere in New England. It in no sense reflected the bank-balance of its occupants. I stress the fact that it was a frame house, small and with relatively thin walls. This is important from the point of view of acoustics. It must be remembered that on that particular stifling August day two persons were hacked to death, and one of them was a heavy woman whose fall to the floor in an upstairs room must have shaken the house. It would have been heard from almost any of the normally lived-in rooms.

In that house, there had been for some time a terrific tension. The daughters disliked their step-mother. The father threw out dark hints, especially to his favorite daughter Lizzie, that mysterious enemies were plotting to take his life, and also the life of Abby. Following a problematical

burglary in the house, he insisted that all the doors, both inside and out, should be kept locked and, if possible, double-locked.

There had been strange sicknesses too. To the frivolous, this does not seem odd, in view of Mrs. Borden's indigestible daily menus. But one particular bout of mass queasiness, two days before the murders, had all the appearance of a deliberate poison attempt.

On the very eve of the final catastrophe, Lizzie complained to a friend that there was a "doom" hanging over her home. This remark is readily understandable. It is not so understandable, however, why, on at least two occasions, she should have visited drug stores to inquire about the possibility of obtaining prussic acid. These visits, although not admitted into evidence at her trial, are established facts. To some, they are indications of her lethal intentions.

A short time before the fatal Fourth of August, Emma Borden had left this house of hatred to visit friends at Fairhaven, fifteen miles away. On August the Third, Uncle John Vinnicum Morse arrived at No. 92 Second Street.

The stage was now set for the most fascinating murder of all time.

On the historic morning of August 4th, Lizzie came downstairs about 9:00 A.M., and wisely refused the breakfast of warmed-over mutton and/or mutton soup in which her parents and uncle had indulged two hours before. Mr. Morse had already departed on a series of rural errands which were to establish him a bullet-proof alibi. At some point between 9:15 and 9:30, Mr. Borden left the house to make some routine calls, and Lizzie, who was unwell, went down cellar where the toilet was situated.

Mrs. Borden, having issued various domestic instructions to the maid, trundled upstairs to take fresh pillow slips to

the spare room bed. This was between 9:15 and 9:30. She was never seen alive again. Someone either followed her upstairs or was waiting for her in the spare room. That someone sprung on her unawares and struck her repeatedly with an ax or a hatchet until her head was hacked to ribbons.

Maggie, the maid, who might otherwise have heard her mistress' massive body crash to the floor, was engaged at this time in cleaning the windows on the outside of the house.

Neither she nor Lizzie seemed to have missed Mrs. Borden or to have suspected that anything might be wrong. Maggie continued to wash the windows. Lizzie, according to her own story, reappeared from the cellar, ironed a few dainty handkerchiefs in the dining-room, and then sat a while in the kitchen browsing through an old copy of Harper's Magazine.

Sometime around 10:45, Mr. Borden returned home. He was observed to have some difficulty about opening the front door (and this for the first time in his life). He stumped around the house to the side door. He was finally admitted at the front door by Maggie.

Almost immediately after his admission, Lizzie was seen by Maggie at the head of the stairs, just outside the spare room where Mrs. Borden's murdered body lay. It was then that she was heard to utter a strange sound that seemed like a laugh. This utterance later made history as the famous "Lizzie Borden laugh."

Lizzie arrived downstairs. To Maggie's surprise, she greeted her father with this statement: "Mrs. Borden has gone out—she had a note from somebody who is sick." Mr. Borden made no recorded comment, took the key of his perennially locked bedroom from a shelf, and ascended the backstairs to his room. After a moment or two, he returned

to the sitting-room. Lizzie helped him to a couch and composed him there for a nap. With daughterly solicitude, she even suggested drawing the shades to temper the midsummer heat.

Leaving her father to rest, she followed Maggie to the kitchen and engaged her in a very curious conversation. She informed her that there was a cheap bargain sale of dress goods downtown, and suggested that the maid might like to "pop out" and inspect it. Maggie was not impressed by this information, but shortly before eleven o'clock—and most conveniently for someone—she stepped out of the picture by retiring to her attic bedroom for a "lie-down."

What happened while Maggie was lying down is the crux of the case. Lizzie claimed that during this period she never re-entered the sitting-room where her father was sleeping, but that she had gone out into an oppressively hot and dirty barn in the garden there to eat some pears and to search for some pieces of lead. These pieces of lead, she maintained later, were needed by her as sinkers for fishing lines, although it was shown that she had not gone fishing for over five years. Subsequently she contradicted this statement, saying that she had wanted the metal to fix a screen.

In any event, to the barn she went—if she is to be believed. And an extraordinary place it was to put herself during those crucial fifteen minutes. It has puzzled all students of the Borden case.

Maggie, busy lying down at this time, had of course nothing to add to Lizzie's story. All she knew was that Lizzie's voice startled her out of her doze at about 11:10, calling, "Come down, Maggie. Father's dead; someone came in and killed him."

Someone had indeed killed Mr. Borden. He was lying on

the sitting-room couch, his head as terribly battered as his wife's had been.

It was these macabre events which later inspired the jingle so well-known even to this day:

"Lizzie Borden took an ax
And gave her mother forty whacks;
And when she saw what she had done,
She gave her father forty-one."

Actually there is poetic exaggeration in this lyric. The medical evidence showed that Mrs. Borden had received eighteen wounds in her head, whereas Mr. Borden himself got away with a mere ten.

After this, the fireworks started. The neighbors, including the friendly physician, Dr. Bowen, all came running in, and the gruesome remains of Mrs. Borden were soon discovered in the spare room. As it happened, the majority of the Fall River police force was off on an annual picnic, but those officers who were available put in an astonished appearance.

Lizzie proceeded to tell her story with a certain amount of fortitude and very little show of decent regret. There were discrepancies in her statements. But any good police officer will agree that when a serious crime has been committed, the innocent are more likely to be inaccurate than the guilty.

Numerous things happened subsequently. Sister Emma was sent for from Fairhaven where she was enjoying her perfect alibi. Uncle Morse wandered—fortuitously as usual—into a scene of carnage worthy of a Greek tragedy. Lizzie changed her blue dress for a pink wrapper. Dr. Bowen was

seen burning a note in the stove, but explained to a police officer that it was nothing important. And through it all, Lizzie gave the authorities free access to herself and her closets. But she continued telling stories that did not quite jibe.

On August 7th, three days later, Lizzie was known to burn a dress in the stove at her home while police officers were in the house. She was seen to do this by a reliable witness who was also her friend, Miss Alice Russell. This fact, though not disclosed at the time, was one of the many damning pieces of evidence against Lizzie.

It must be remembered that, in the case of each murder, the rooms were a shambles, and it seems inevitable that anyone who had committed these two shocking crimes must have been drenched, especially about the lower portions of the clothing and body, with blood that had spurted from those many wounds. And yet everybody who saw Lizzie within the fatal few minutes after the crime, was convinced that there were no signs of blood about her clothing or her person. This was one of the major factors in her defense.

On August 11th, 1892, following the inquest, Lizzie Borden was arrested. And from then on until her final trial in June, 1893, she was the most notorious woman in America. Sides were taken all over the world with regard to her guilt, and the Reverends Buck and Jubb stirred up the Ladies Aid Societies and church organizations into a perfect frenzy over Lizzie's virgin innocence.

She was duly acquitted and, as already mentioned, disappeared into obscurity. In 1927, she died a marked and shunned woman.

The persecution of Lizzie was, in my opinion, undeserved; though here I differ from the great authority Edmund Pearson. I do not believe that the younger Miss

Borden was guilty of murder or of being an accessory before the fact. I think that she committed an outrageous act and perpetrated a tremendous falsehood whose secret she carried with her to the grave. But her motive in doing these things was not altogether unadmirable.

Nor do I believe that any outsider was guilty. For it would have been virtually impossible to have remained unobserved in that house during the ninety odd minutes between the deaths of Abby Borden and her husband. And I am certainly not going to introduce any new characters such as the mythical "Lizzie's lover" or the Chinese boy from her church school.

Who then was the murderer? It was obviously a person of the household. It was obviously a person whose alibi could have been broken down. And it was obviously someone whom Lizzie lied to protect. I think, also, that she cleaned the lethal hatchet and lied about it to shield the murderer.

And here one must say a word about this hatchet. Another myth of the Lizzie Borden Case is that the hatchet disappeared after the crime. This is not necessarily the fact at all. The prosecution produced a perfectly good hatchet at the trial; one which fitted into the skull wounds; one which had been washed and scoured in ashes; one that had had its wooden head burned or broken off to destroy, perhaps, the signs of blood.

In order to show how this hatchet got into the Borden house, I am going to indulge in a purely imaginary conversation that might have taken place between Lizzie and her father at some date previous to the murders.

Mr. Borden, as we know, was a miser with money, and a hoarder of useless articles. He very seldom went for a walk without picking up some rubbish on the street. On the

actual day of his death he had carried home an old rusty lock which was certainly not worth a nickel. Let us imagine that father and daughter met at the gate on this hypothetical day.

Lizzie: Oh, Father, what have you picked up today?

Mr. Borden: It's just an old rusty hatchet that I found down at the lumber yard.

Lizzie: But we have a hatchet, Father—two, in fact.

Mr. Borden: A penny saved is a penny gained, Daughter.

Lizzie: But what could we use it for?

Mr. Borden: I'll put it in the barn. It might come in handy some day to cut lead into sinkers so as not to blunt one of the good axes. Or if you wanted a bit of metal to mend a screen. . . .

So there is the hatchet in the barn waiting for the final catastrophe. What hand was to raise it to take a human life?

The same hand that brought it into the house.

I believe that Andrew Jackson Borden deliberately and with malice aforethought murdered his own wife Abby Durfee Borden.

I believe that he himself died of a blow from the same hatchet. But not from a blow struck with murderous intent.

He had the means to murder Abby. Now let us come to the motive.

Mr. Borden had reached an age which is sometimes known as the male menopause, a period when even the staidest men are apt to go through a phase of emotional instability. Often this instability manifests itself as an antipathy to the wives of their bosom.

There were many things about Abby Borden that were

antipathetic—her figure, for example, or her cooking. And then she had developed a habit of fussing Mr. Borden into making suitable disposition of his property. This would have been particularly galling to a miser whose heaven was on earth and in the bank and to an agnostic who had little expectations from the future life.

A cynical Frenchman once said: "Wherever there is marriage, there is a motive for murder."

This, it seems to me, is especially true of a menage like the Bordens.

And so I believe that for a considerable time Mr. Borden toyed with the idea of murdering his wife. It will be remembered that it was Mr. Borden who "discovered" the attempted burglary at Number 92. It was Mr. Borden who started the dark rumors—later repeated by Lizzie—of mysterious enemies plotting against his own life and his wife's. I see in this a sly plan to deflect suspicion from a crime he himself was contemplating.

It is also interesting to note that after the most violent bout of sickness which struck the house, Mrs. Borden was certain they had been poisoned. Mr. Borden categorically vetoed her suggestion of visiting a doctor.

Mr. Borden himself appears to have been equally sick at this time. Is not it possible however that he faked his nausea and vomiting? Is not it possible that this was his first, unsuccessful attempt to murder his wife?

We know that through this period Lizzie was very conscious of the "doom" hanging over the house. I believe she was actually conscious of attempted foul play but that her dislike of her step-mother prejudiced her into suspecting Mrs. Borden of trying to poison Mr. Borden—instead of the other way round.

This would explain her visits to the drugstores and her

inquiries about poisons. A murderer—especially one who intends to use an ax—would hardly walk into drugstores where she is well known and ask for prussic acid. But a daughter, worried for her father's life, might well do a little detective work around town to find out whether her step-mother had been making poisonous purchases.

Let us assume this to have been the situation when Uncle Morse arrived. Uncle Morse, as we know, was interested in other people's property. Frequently in the past, he had brought up the subject of Mr. Borden's will. By now this subject had become dynamite. Imagine Abby seizing on Uncle Morse's remarks to drive home her own nagging pleas for a testament in favor of herself and her own family. Imagine the mounting exasperation of a man who had already attempted murder once—to spare himself from just such unpleasant reminders of his mortality. Thus Uncle Morse may well have been the innocent spark to the fuse.

I believe that Mr. Borden had made a decision before he went to bed that night. The time for such slow, uncertain weapons as poison was over. Tomorrow he would do the deed—and do it thoroughly.

Perhaps that morrow seemed to him a particularly auspicious day for a murder, since he must have known that most of the police force would be off on their yearly spree.

We have left the fatal hatchet in the barn. According to Maggie's testimony, she saw Mr. Borden go to the barn before his last breakfast; she also saw him return to the house, carrying a large basket of pears. The hatchet may well have been concealed beneath the fruit.

Mr. Borden was supposed to have left the Borden house around 9:15 that morning. Every movement he made from then on was suspiciously confirmed by witnesses. At one

place downtown he was known to have inquired the time. At another, he remarked that a clock was wrong. Finally, when he returned home, he had conspicuous difficulty letting himself into the front door and even went around to the side door—an unusual act which attracted the attention of at least one neighbor.

In fact, this alibi was as carefully established as that of the most cunning murderers of detective fictions.

And yet, it was worthless, because he had no alibi for the moments when Abby was almost certainly killed.

As I said, he was assumed to have left Number 92 around 9:15. Possibly he pretended to do so. But no one actually saw him leave. A few moments earlier, Maggie, afflicted by a sudden and private attack of vomiting, had gone out into the backyard. When she came back, Mr. Borden was nowhere in sight and she imagined he had left. Lizzie herself, during this period, was down cellar.

How easy it would have been for Mr. Borden to have followed his wife upstairs to the spare room and to have hacked her to death with the hatchet. Blood must certainly have spattered his trousers, but they were dark and would show no obvious stains. There would have been time, at any rate, to change them and his shoes in his own room. The telltale clothes would have been safe there since no member of the household was permitted to enter his sanctum. How easy it would have been after that to slip downstairs unobserved and out by the front door—to hurry downtown to start manufacturing an alibi.

But . . . here I believe something went wrong with Mr. Borden's plan. I believe Lizzie came up from the cellar earlier than he had anticipated and surprised him on the stairs when she thought he had left.

Imagine the conversation:

Lizzie: I thought you'd gone downtown, Father.

Mr. Borden: (agitated because he sees his alibi vanishing)

So I did, Lizzie. But I came back because I met someone with a note for Mrs. Borden.

Lizzie: A note for Mrs. Borden? Shall I give it to her?

Mr. Borden: (flustered into a terrible mistake) She's gone out.

Lizzie: (surprised) Gone out in her old work dress?

Mr. Borden: Yes, someone was sick. She was in a hurry.

Lizzie: Oh, who was sick?

Mr. Borden: I don't know. Someone at her sister's house, I guess. She didn't say . . .

After this, Mr. Borden went out to establish his alibi, feeling reasonably sure that his lie about the note would keep Lizzie from any immediate anxiety about her step-mother.

Now let us follow Lizzie. Her morning was a perfectly innocent one. She did a bit of ironing. Her flats got cold. She read a magazine in the kitchen. At some time between 10:00 and 10:45, she went up the front stairs to take the ironed clothes to her room. While she was still upstairs, she heard Maggie letting Mr. Borden in at the front door. She wanted to inquire if there was any mail for her. She started downstairs. But on the way downstairs she had to pass the spare room. Perhaps the door was open; perhaps she peeped in to see if the bed was made. At any rate she must have caught sight—and I believe for the first time—of her step-mother's terribly hacked body with the bloody ax at its side.

It was then that she uttered the involuntary sound which

was later described by Maggie as a "laugh" and which has always been interpreted as a laugh of triumph at the sight of her second intended victim—Mr. Borden.

To me that exclamation was one of shock and horror.

In a flash she would have realized the truth. Mrs. Borden had not gone out. Then Mr. Borden had lied about the note which was supposed to have called her forth. Mr. Borden—her own father, the only man for whom she had any real affection—must have committed this ghastly crime.

From now on, I see every one of Lizzie's actions as part of a desperate attempt to get Maggie out of the way so that she could confront her father in private with her awful suspicions. With amazing coolness she forestalled any damning remark Mr. Borden might have made, by repeating to him and to Maggie his own lie about the note.

(This explains why Lizzie had to bear the brunt of this lie later when it was proved that no note had been delivered.)

Still to keep Maggie unsuspecting, she made her father comfortable on the couch when he returned from his brief visit to his upstairs room (where, possibly, he changed back into his own bloody shoes and trousers, planning to "discover" his wife's body and thus provide a reasonable excuse for the stained clothing¹). Lizzie then tried to tempt the maid out of the house by the bargain sale. She failed, but Maggie solved this problem herself by going up to the isolated attic for her "lie-down" shortly before eleven.

From now on it becomes increasingly difficult to recon-

¹ At this time blood typing was unknown as a science. It would have been interesting if Mr. Borden's trousers had been submitted to a blood typing test. Would blood of Mrs. Borden's type have been found there as well as blood of his own type?

struct what passed through Lizzie's mind. There are no available facts. One can only imagine the reactions of this respectable, phlegmatic New England woman.

During the first moments of extreme shock, she had behaved with great coolness. Now however she was faced with the dreadful task of accusing her own father as a murderer. She may well have faltered. Was Mr. Borden's obvious lie about the note sufficient grounds for an accusation? Perhaps, as she was wavering, she remembered the bloody ax she had glimpsed by Abby's side. Where had that ax come from? If it was the old hatchet we are assuming Mr. Borden had brought back previously and put in the barn, then he must indeed be guilty, since only he and Lizzie knew of its existence.

I believe Lizzie did go to the barn—to search for the ax. It was not there, of course. And so, she returned to the house sure in her mind that she was the daughter of a murderer.

(Later, at the inquest, Lizzie claimed she had gone to the barn for some pieces of metal. All the evidence shows that she was not an imaginative liar and that her mind was literal. Obviously she could not have told the complete truth. Might she not have recollected and made use of the conversation she had had with her father on the problematical day when he brought home the hatchet? *Lead for sinkers; metal for fixing screens.* Might she not merely have been parroting Mr. Borden here—as she parroted him about the note? And then the ax itself was metal, a piece of metal. A curious half-truth of this sort, I'm sure, would have seemed less culpable to Lizzie than an outright lie.)

Lizzie, I believe, had steeled herself now. She went upstairs to the spare room, took up the telltale ax from beside

the dead woman and tiptoed down into the sitting room where her father was lying either asleep or feigning sleep.

What was in her mind? She had always disliked her step-mother and liked her father. Was the daughter in her prepared to discuss the dreadful deed and, perhaps, think out some scheme for shielding the culprit? Or was Miss Lizzie, the ardent church worker, the pet of Revs. Jubb and Buck, ready to sacrifice her father and her own family name on the altar of justice?

And what was in old Mr. Borden's mind as he lay there on the couch? Was he pretending to be asleep, planning to murder his younger daughter who, he must have realized, had it in her power to expose him?

It is useless to speculate. Personally, I think that Lizzie produced the ax as a tangible piece of evidence with which to confront her father. Personally, I am sure she had no intention of using it.

But something happened. Maybe, as she bent over him, Mr. Borden jumped up startled, knocking the ax from her hand and causing it to fall and strike him that first blow which gouged out his eyeball. Maybe he struggled for the ax, trying to kill his daughter, and she was obliged to administer that blow in self-defense.

At any rate, in those confused, unwitnessed moments, Mr. Andrew J. Borden received a fatal blow from the weapon he himself had wielded only a few hours before.

One can imagine Lizzie recoiling in horror from the couch as the blood spurted from her dying father. She had never anticipated so frightful a culmination as this. One can imagine the thoughts reeling through her normally pedestrian mind. She had killed her father—either accidentally or in self-defense. But she had killed him. The

police would come. She would be questioned. And, worse still, she would have to blurt out the whole terrible story which would brand the head of the Borden family as a wife-murderer. Perhaps, as she stood there trembling, an even more poignant fear stabbed her. She thought of Mrs. Borden lying brutally hacked to death in the room above her.

What if the police did not believe her and suspected her of deliberate murder—not only of the murder of her father but also of the murder of the step-mother she had never loved? She tried to steady herself. No, Mrs. Borden had been struck so many, many times. Surely they would never believe that Miss Lizzie, the president of the Flower Guild, could have committed so bestial, so maniacal an act.

Maniacal. I can almost hear that word shouting in Lizzie's brain. For weeks Mr. Borden had been hinting at mysterious enemies who were after his life and Abby's. A mysterious enemy—a maniac.

It was then that Lizzie made a terrible resolve.

Perhaps it was possible, after all, not only to protect herself but also to shield the family name from dishonor. Could not she make it seem that both deaths were the work of some unknown, maniacal assassin?

But no one would believe that Mr. Borden, killed with a single blow, could have been the victim of the same frenzied killer who had struck and struck again at his wife.

Very well, that could be remedied.

I can see Lizzie, white but grimly determined, picking up the blood-stained ax and moving out through the door just behind the couch. Then—so that she need not see the dreadful thing she was doing—I can visualize her holding the door in front of her while, with her arm bare, she struck

around the jam at the lifeless head of her father, struck and struck again until his skull was almost as shattered as that of the woman who lay upstairs.

This was a shocking act. Perhaps it was misguided. Certainly no person of imagination or sensibility could have committed it. But the practical Lizzie was not hampered by any imaginative sensibilities.

And revolting though it was, this attack on her father's dead body, motivated half by an impulse to protect herself, half to preserve her father's own good name, was more an error in taste than one in morals.

I see Lizzie guilty of no more than this.

Afterwards I can visualize her, almost calm again, taking the ax down cellar and washing it. A little water cleared her of the deed. Possibly she changed her dress.¹ She returned to the kitchen and called up the backstairs with classic ambiguity:

"Maggie, come down. Father's dead; someone came in and killed him."

Her subsequent actions are consistent. She sent for Emma immediately. I think she told her sister what had happened. Together they decided it would be fatal both for Lizzie and for the family if the truth became known. The "mad assas-

¹ Probably there was no need to do this. If she acted as I think she did, she would not necessarily have been spattered with blood. But one can imagine that, after such an act, she would have felt a certain self-consciousness about her clothing. At the trial both Prosecution and Defense got nowhere on the subject of Lizzie's apparel on the fatal day. Personally I feel that too much importance was attached to it. There is no doubt that Lizzie did burn a dress some days after the crime. Perhaps she did it because she feared bloodstains. Perhaps she did it because there were *no* stains on it such as a dutiful daughter must have incurred if she had shown decent solicitude for a dying father.

sin" was the only possible theory and they agreed to stick by it. I doubt whether either of the sisters dreamed that Lizzie herself would be arrested after all.

It is possible that Lizzie and Emma also confided in their good friend and family physician, Dr. Bowen. His behavior both at the trial and before it indicate that he was hiding something. In the Borden house he was seen by police officers to be burning a note on which the one word "Emma" was detected. Is it not possible that the sisters, realizing the embarrassing absence of the note supposed to have come for Mrs. Borden, made a clumsy attempt to forge one? And that the shrewder Dr. Bowen vetoed the idea and burnt the forgery?

Having started on her career of falsehood, Lizzie had to go on with it. She was tripped up several times in interrogation, mostly because, as we have seen, she had repeated the mistakes of the real murderer. It is interesting to note, however, that in the record of the inquest, Lizzie only hesitated at one point, and that was when she was asked:

"Were your father and mother happily united?"

She hesitated because that lie was almost too big a one for a woman normally truthful, and she replied with remarkable, if somewhat ungrammatical, equivocation:

"Why, I don't know but that they were."

I am not suggesting that Lizzie would have allowed herself to be sent to the gallows without making some attempt to tell the true story. But I am sure both she and Emma felt convinced that she would never be convicted.

I make no pretense to omniscience. I cannot gauge the deviltries, the currents of murderous hatreds that criss-crossed the Borden household. My theory may not at all points hold water, though it nowhere violates known facts or the potential characteristics of the people involved.

Personally I am convinced there is no other adequate solution.

The behavior I have ascribed to Lizzie may strain credulity somewhat. But any reconstruction of this case must sound incredible. It is the sheer incredibility of the events at No. 92 Second Street which gives them their imperishable fascination.

Surely, the picture of the Borden crimes, as painted here, is more plausible than one which presents Lizzie as a double murderess who hacked her step-mother to death, indulged in an hour's dainty ironing and housework, and then took a hatchet to her sleeping father.

The theory of Lizzie's guilt, however, is still universally held. This springs from some sadistic instinct, latent in almost everyone, which thrills to the thought of a respectable, churchgoing New England virgin bludgeoning her parents to death with an ax.

To me, however, it is grotesque that Lizzie should be held guilty simply because it has been fictionally fashionable to make villainesses out of virtuous spinsters. Except for certain inconsistencies of statement and behavior, there was no real evidence against her—as the Prosecution knew only too well. She has borne the burden of suspicion all these years chiefly because there seemed no one else to bear it.

This situation arose because no one, to my knowledge, ever thought of Mr. Borden as anything more than a murderer. To history he has always been a corpse—not a criminal.

History will never tell the exact truth about the Borden murders. I have done my imperfect best to apportion the blame where I believe it belongs. But the full secret of those few stormy hours is buried forever beneath that modest monument in the tree-shaded cemetery of Fall River.

There, Andrew and Abby and Lizzie Borden, united in death, must await a less imperfect judgment than my own.

* * * * *

The principal fictional versions of the Borden case or those referred to above by Mr. Patrick: Mrs. Belloc Lowndes' curious novel, Lizzie Borden: a Study in Conjecture (Longmans, 1939), and the play Nine Pine Street by John Colton and Carlton Miles (French, 1934), which introduced Lizzie to Broadway in the person of Miss Lillian Gish. An interesting variant on the story is to be found in the play Suspect by Edward Percy and Reginald Denham (Dramatists' Play Service, 1940), which presented Miss Pauline Lord as an unconvicted ax murderess striving for anonymity some decades after the crime. A parallel case and a paraphrase of the great quatrain form part of the shenanigans in The Man Who Came to Dinner by Moss Hart and George Kaufman (Random, 1939). And Stuart Palmer's The Puzzle of the Happy Hooligan (Crime Club, 1941) contains some fine tomfoolery about a film treatment of Lizzie. —A. B.

1904: *THE MURDER OF CAESAR YOUNG BY X*
THE MYSTERY OF THE HANSOM CAB

by Alexander Woollcott

It was in 1905 on May third, my dears, that, for the second and last time, the case of the People of the State of New York (ever a naïve litigant) against Nan Randolph Patterson was entrusted to the deliberations of an infatuated jury. After being locked up all night, they tottered from the jury-room to report that they, like the susceptible twelve who had meditated on the same case six months before, were unable to decide whether or not this handsome wench was guilty of having murdered Cæsar Young. At that report the exhausted People of the State of New York threw up their hands and, to the cheers of a multitude which choked the streets for blocks, Nan Patterson walked out of the Criminal Courts Building into American legend.

It was in the preceding June that the killing had been done. Cæsar Young, that was a *nom de guerre*, his real name was Frank Thomas Young—was a gay blade of the racetracks, a bookmaker, gambler, and horseman, personable, rich, generous, jovial, English. For some two years he was enchained by the loveliness of this Nan Patterson, a brunette, pompadoured, well-rounded show-girl from the sextette of a *Floradora* road company. He had picked her up on a train bound for California where, according to testimony which later put all manner of ideas into Eastern

heads, they spent several days together in what must have been a singularly liberal-minded Turkish Bath. But by the spring of 1904 he had returned penitent to the bosom of his wife and, for a healing voyage of reconciliation, the Youngs booked passage on the *Germanic*, due to sail from her pier at the foot of West Fulton Street at 9:30 on the morning of June 4.

On the night before, they had come in from Sheepshead Bay after the fifth race and taken lodging for the night with Mrs. Young's sister in West 140th Street. Indeed that last evening, Young's life was fairly swarming with in-laws, all bent, I suspect, on seeing that this, their Cæsar, should not change his mind at the last moment and run back to that dreadful Patterson woman. At seven next morning Young jumped out of bed, dressed, and sallied forth, explaining to his wife that he needed a shave and a new hat and would meet her on the pier not later than nine o'clock. He never kept that appointment and, too late to get her heavy luggage off the boat, poor Mrs. Young decided to let it go on without her.

Young never reached the pier because, at ten minutes before nine, just as the hansom he had picked up in Columbus Circle was rattling along West Broadway near Franklin Street, he was shot through the chest. The cabman, although subsequently disinclined to recall having noticed anything at all that morning, was at the time sufficiently alert to draw up in front of a drug store. Passers-by who hurried forward found within the cab a dying man. Oddly enough the pistol which had killed him lay hot in the pocket of his own coat and he had fallen forward across the knees of the fair creature who was sharing the cab with him. Nan, for it was she, was extremely emotional and

clasping her hands in supplication to the Deity, exclaimed (with admirable presence of mind, the State afterwards contended), "Cæsar, Cæsar, why did you do this?"

In the following November, the American people settled back to enjoy a real good murder trial, with Nan's face pale in the shade of a vast black picture hat, with her aged father, a patriarch superbly caparisoned with white mutton-chop whiskers, sitting beside her and kissing her in benediction at the end of every session. For the State appeared the late William Rand, who looked rather like Richard Harding Davis in those days. He was a brilliant advocate, although in talking to a jury, the tobacco-chewing members of the bar would tell you, he did rather suggest an English squire addressing the tenantry. For the defense the humbler Abraham Levy had been retained—the mighty Abe Levy who looked like a happy blend of cherub and pawnbroker and who, as the most adroit and zestful practitioner of the criminal law in this country, was called for the defense in more than three hundred homicide cases. The foreman of the first jury was the late Elwood Hendrick, eventually Professor Hendrick of Columbia, if you please, but—marvelous in this restless city—still living in 1930 in the East Fortieth Street house which he gave as his address on that day when Nan, after looking him sternly in the eye, nodded to her counsel as a sign that he would do as a juror for her.

The aforesaid American people, fairly pop-eyed with excitement, were at first defrauded. On the tenth day of the proceedings, one of the jurors succumbed to apoplexy and the whole verbose, complicated trial had to be started all over again. This form of mishap occurs so often in our courts that there is considerable backing now for a proposed law to provide a thirteenth juror who should hear all the

testimony but be called on for a vote only in such an emergency. Roughly the idea is that every jury ought to carry a spare.

In the testimony it was brought out that Nan, aided by her sister and her sister's husband, had in that last spring worked desperately to regain a hold over her once lavish lover, trying every trick from hysterics to a quite fictitious pregnancy. On the night before the murder they had spent some clandestine time together in what was supposed to be a farewell colloquy. It was begun late in the evening at Flannery's saloon in West 125th Street, with one of Mrs. Young's plethora of watchful brothers-in-law sitting carefully within earshot. Nan had reached the morbid stage of predicting darkly that Cæsar would never, never sail next day. Profanely, he taunted her with not even knowing on what boat his passage was booked. Indeed he tossed a hundred-dollar bill on the beer-stained table and offered to lay it against fifty cents that she could not name the ship.

"Cæsar Young, Cæsar Young," she made answer, while abstractedly pocketing the stakes. "Cæsar Young, there isn't a boat that sails the seas with a hold big enough or dark enough for you to hide in it from me tomorrow morning."

Between two and three on the morning of the fourth, they parted—unamicably. Indeed there was testimony to the effect that at the end he called her by an accurate but nasty name, slapped her in the mouth, and threatened to knock her damned block off. It was the more difficult for the State to surmise how a few hours later they ever came together in that hurrying and fatal hansom. It was 7:20 when he left his wife in West 140th Street. It was not yet nine when he was shot at the other end of the city. Nor was all of that brief time at Nan's disposal. For the new hat was on his

head when he was killed. And somewhere, somehow he had also paused for that shave.

There were sundry such *lacunæ* [gaps] in the State's case. The pistol had been sold the day before in a pawnshop on Sixth Avenue but the proof that it had been bought by Nan's sister and her husband was far from water-tight. Anyway the jury must have been left wondering why, if these people had all been battenning on Cæsar Young, they should have wished so golden a goose slain. Another weakness was Young's general rakishness. But the State's chief weakness, of course, was Nan herself. She was such a pretty thing.

The strength of the State's case lay in the fact that it seemed physically impossible for anyone else to have fired the pistol. The direction of the bullet, the powder marks, the very variety of the trigger-action all pointed only to her. To the ill-concealed rapture of the reporters, a skeleton was trundled into court as a model whereby to convince the jury that Cæsar Young would have had to be a contortionist to have pulled the trigger himself, as Nan implied he did. Of course she was not sure of it. It seems she was looking dreamily out of the window at the time and was inexpressibly shocked at his having been driven so desperate by the thought of a parting from her.

It is needless to say that Mr. Levy, who managed to suggest that he was just a shabby neighbor of the jurors, seeking to rescue a fluttering butterfly from the juggernaut of the State, made the most of that "Cæsar, Cæsar, why did you do this?" At such a time, could this cry from the heart have been studied?

"Is there a possibility," Mr. Levy argued, "that within two seconds after the shot, she could have been so consummate

an actress as to have been able deliberately to pretend the horror which showed itself in her face at that moment? Do you believe that this empty—frivolous, if you like—pleasure-loving girl could conceive the plot that would permit her at one second to kill, and in the next second to cover the act by a subtle invention? Why, it passes your understanding as it does mine. My learned and rhetorical and oratorical and brilliant friend will tell you that this was assumed. My God, you are all men of the world. You are men of experience. Why, you would have to pretend that this girl possessed ability such as has never been possessed by any artist that ever trod the boards, not even by the emotional Clara Morris, not even by the great Rachel, not even by Ristori, not even by Mrs. Leslie Carter!"

Reader, if you are faintly surprised to find the name of Mrs. Carter in that climactic spot, consider that it may have been a delicate tribute to her manager, Mr. Belasco, who was attending the trial as a gentleman (*pro tem*) of the press. Then, as always, the Wizard's interest in the human heart and his warm compassion for people in distress took him often to murder trials, especially those likely to be attended by a good many reporters.

Mr. Levy's "learned and rhetorical friend" was not impressed. Indeed, he could not resist pointing out that Levy himself, while no Edwin Booth precisely, nor any Salvini either, had just read that very line with considerable emotional conviction.

"It does not require the greatness of histrionic talent," Mr. Rand said dryly, "to pretend that something has happened which has not."

Mr. Levy referred a good deal to Nan's dear old dad sitting there in court and, to play perfectly safe, he also read

aloud from Holy Writ the episode of the woman taken in adultery. The jury disagreed.

The State tried again in the following April, moving the case for trial this time before Justice Goff, perhaps in the knowledge that, despite his saintly aspect, that robèd terror to evil-doers could be counted on to suggest to the jury, by the very tone of his voice, that hanging was too good for Nan. In his final argument, Colonel Rand was magnificent. In after years at the civil bar he argued in many cases of far greater importance and it was always one of the minor irritations of his distinguished life that laymen everywhere always tagged him as the man who prosecuted Nan Patterson. This gaudy prestige even followed him overseas when he was a high-ranking member of the Judge Advocate's staff stationed at Chaumont for the prosecution of those of us in the A.E.F. who were charged with cowardice, rape, insubordination, and other infractions of the military code.

"Oh, gentlemen, gentlemen," cried Mr. Rand in his peroration, reaching at last his guess at the scene in the hansom cab. "We are near the end, we are near the end now. Going back to revisit his early home and his old friends, a richer, stronger, heartier man than Cæsar Young that morning you shall not find. But the harvest of the seed he had sown was still to be reaped and the name of the reaper was Nan Patterson. And his companion, what were her thoughts? What were her reflections as she sat there by his side? One call, you may be sure, was insistent in her thoughts. One call she heard again and again. 'You have lost, Nan, you have lost. The end has come, your rival has triumphed, the wife has won. The mistress has lost, lost her handsome, generous lover. No more riots, no more love with him. He is going back, he is going back. Cæsar is going back, Nan. Back,

back, to his first love. Back to his true love. Cæsar is going back, Nan. Back, back to the woman who had shared his poverty, who had saved his money, who has adorned his wealth. Back. Cæsar is going back to the wife he had sworn before God to love, honor and cherish.' Oh, if she had doubts, they vanished then; then she saw red; then the murder in her heart flamed into action, and she shot and killed. A little crack, a puff of smoke, a dead man prostrate on a woman's knee, the wages of sin were paid!"

Thus the District Attorney. But again the jury disagreed and after a few days he moved for a quashing of the indictment. It was immediately announced that Nan would be starred in a musical show called *The Lulu Girls*. It opened a fortnight later in Scranton, Pennsylvania, and got as far as Altoona, where, although billed by that time as *A Romance of Panama*, it quietly expired. Shortly thereafter Nan was remarried, after a lively vacation, to an early husband from whom she had been obscurely divorced. She then vanished from the newspapers, although there occasionally finds its way into print a legend that she is living in Seattle a life given over to good deeds and horticulture.

Ten years ago an elderly and indignant washerwoman living in a shanty in White Plains found herself surrounded one morning by a cordon of reporters and photographers all conjured up by a fanciful and self-sprung rumor that she was Nan Patterson. The White Plains *blanchisseuse* was furious, as it seems she was not Nan Patterson at all. Why, she had never been in a hansom cab or a Turkish Bath in all her life. She had never even been in *Floradora*.

1921: THE MURDER OF N BY X
THE UNIDENTIFIED TORSO

by Captain John H. Ayers and Carol Bird

SEVERAL years ago¹ one of the most gruesome of mystery murder cases came to our attention under the following circumstances. Near Long Island City, in a depression in a vacant lot, the legless body of a girl was found through one of those chance occurrences, which are sometimes responsible for the discovery of a crime. The body was lying in a pond at Queens Boulevard and Rawson Street, wrapped in an oilcloth. The hollow place where the torso was discovered, by a worker in the sewer department, was filled with water due to recent rains. The City employee had waded into the pond in order to wash his boots as had been his custom when in this neighborhood, which he had not visited for about six weeks. As he waded into the water, he found the victim of the brutal crime. He found a raft about fifteen feet from the shore of the pond, placed the body on it, and immediately told his foreman of his discovery. The foreman, in turn, reported it to the police.

It was estimated that the murdered woman had been about five feet one inch in height, had weighed about one hundred pounds, and that she had been dead about four days. She was approximately twenty-two years of age, had

¹ October 22, 1921.

hazel eyes, and hair described as "auburn." The ears had been pierced for earrings, making it probable that the victim was either foreign-born or the offspring of foreign-born parents.¹ A small woven raffia ring was on the little finger of the murdered girl's left hand, and there was an imitation tortoise-shell comb in her hair. According to the detective's report the celluloid comb had "nine teeth missing," a detail which goes to show how minutely a crime of this kind is described. There was also one black metal hairpin and one small yellow bone pin in the victim's hair.

Further details of this gruesome murder are given in the detective's report: "The body was dismembered at the hips. There was a deep cut at the base of the right thumb of the left hand, and a wound on the left shoulder. A piece of olive green cotton made in the shape of a belt, with a large celluloid faced button attached, was found tightly tied around her neck, causing strangulation, from which her death had apparently resulted."²

One of the outstanding features, by which identification might be made, was "red hair." The first description we received of the body came to us from the local precinct in which it was found, and I immediately caused a careful check-up on all still unsolved disappearances on our records, seeking a missing woman with red hair. But I found none who tallied in any other particular with the description of the murder victim.

I visited the Morgue personally, and viewed the body or, rather, the portion of it which had been found. It was not a

¹ It was also judged that she was of Nordic birth or descent, and from the lower brackets of social life.

² The lower portion of the body was discovered some days later at a point several miles removed from the pond and hidden under some refuse in another unimproved section of the city.

pleasant sight. It was apparent that the legs had been chopped off, and it was easily seen that the one who had dismembered the body was not familiar with surgery or anatomy. No effort had been made to dismember at the joints, and the work had been executed crudely by one who was, doubtless, in a hurry to get the thing done. The face of the dead girl was badly swollen as a result of being immersed in the water. I noticed at once the pierced ears, but it was the hair of the murder victim that attracted my attention. I was puzzled by the shade, which did not seem natural or genuine to me. It appeared to be red, and yet the shade looked artificial and strange.

Oddly enough, it did not look dyed, either, or as though it had been hennaed or "touched up" with any chemical. This curious circumstance aroused my interest, and I decided to experiment. I secured a strand of the hair, brought it back to my office, and gave it a careful washing in clear water, without using soap or any chemical. It was immediately restored to its original color, a mousy shade of blonde, the kind of hue sometimes crudely called "dirty blonde." The bowl in which I washed the hair was now filled with water tinged with red.

After the strand of hair had dried I placed it on a piece of paper on my desk, and called in one of the men at Headquarters:

"What shade of hair would you call this?" I asked him.

He gazed at the lock of newly washed hair.

"Mud-gutter blonde," he promptly replied.

When I told him that it was the same lock of hair of the strange red shade he had seen a little while before, he was astonished. I explained that, because the torso had been lying so long in a pool of bloody water, the blood had soaked into the woman's long hair and dried on it, giving that

queer shade of red which had at first caught my attention.

After this discovery I immediately changed the description of the victim, substituting "drab blonde" hair for red. A widespread search was made for the killer in this case, but he was never apprehended, and to this day the identity of the girl has not been established. The description of the murder victim did not tally with any on our list of missing women. The mutilated torso is still preserved in alcohol in one of the morgues of New York City.

Hard-headed police officers do not often engage in so futile a pastime as guesswork, but in this instance there is seemingly nothing one can do but conjecture about the details of the girl's sorry end. She was probably the victim of an assault; possibly she resisted, and in the struggle was killed, the murder taking place in a house or an apartment. After the crime the killer cut up the victim, so that her body could be more easily disposed of. Perhaps she was assaulted, and because she recognized her assailant, he decided it would be well to put her out of the way before she identified him and reported the matter to the police.

A strange coincidence in connection with this case was that just about the time I was conducting the investigation, another gruesome murder find was made. While I was at the Morgue one day inspecting the legless body of this unfortunate woman, a brown suitcase containing the mummified remains of a man was brought in. The body was found in the suitcase in the store-room of a local hotel. It had been abandoned in a room in the hotel a long time before and sent down to the storage-room by the management, who did not know what it contained. One day, years later, when employees were clearing out old baggage from the store-room, the suitcase was opened and its sinister contents discovered.

Since the suitcase had been gathering dust in the store-

THE UNIDENTIFIED TORSO

room for a number of years, the hotel people could not check back and find out in which room it had been found or who had left it at the hotel. The manager notified the nearest precinct, and the grim relic found its way to the Morgue.

The body had been dismembered, but all of it was there in the case. The flesh was still on the bones, and the body had evidently been subjected to a drying process of some kind which gave it the appearance of a mummy. Unlike the torso of the woman found in the pool of bloody water, this body had been dismembered by one who was familiar with anatomy. It was an expert job. Anthropologists who were later called in to examine the remains said that the dead man had evidently been a Japanese or a Chinese, or at any rate, an Oriental.

In this instance, also, one can but hazard a guess. If murder was involved, the killer probably went to the hotel for the express purpose of ridding himself of the fatal suitcase by leaving it behind. From his standpoint his plan seems to have been both simple and sound. The drying or embalming process left no odor, and it was evidently assumed by the management that the suitcase had been forgotten or abandoned, or that it might be called for later. Once it was sent to the storage-room it was forgotten, and the passing of years made it difficult to recall events or persons connected with it. It is barely possible, of course, that the suitcase might have belonged to a medical student, and the remains have been a cadaver used in his medical studies. This theory is not so plausible, however, because of the fact that flesh still adhered to the bones, and a medical college cadaver, once it has been used by the students, is usually well reduced to its skeleton frame.

Both the torso and the suitcase mysteries are still un-

solved, and the bodies remain at the Morgue in the event of possible future identification.

* * * * *

The further material in the footnotes was kindly communicated to the editor by Captain Ayers, who adds that the unfortunate mud-gutter blonde provides one of the few cases of an unidentified human corpse ever recorded in the files of the New York City Police Department.—A. B.

1930: *THE MURDER OF ISADORE FINK BY X*

THE PERFECT MYSTERY

by Joseph Gollomb

THAT banal expression "it's a perfect mystery to me" takes on fresh meaning and intrigue in the story of Isadore Fink. The very poverty of the life of that little, lone and obscure Harlem laundryman help to make his case the perfect mystery; simple enough to make us feel that we command a knowledge of all the factors in his story; yet we are left baffled as to how to write his last chapter other than that he is dead. Like the police who worked on the case, we are intrigued to the point of irritation that anything so simple should so elude us; until at the end we abandon the hunt, as the police have done, with an uncomfortable sense of that chill that comes up from the abysses of the unknown.

Isadore Fink was born in a small town in Galicia about thirty years ago of poor Jewish parents, his father a pedler of drygoods and, although there were no other children, Isadore's mother was compelled to take in washing to help feed the little family. The boy got no schooling as he had to spend most of his working hours helping his mother. She died when he was seven; and the boy had to do all the housework until three years later when his father, too, died. Thereafter Isadore lived with whatever family was willing to board him in return for a full day's housework. He was

best at washing clothes, so that was most of the work he was given to do.

In adolescence there awoke in him the dream of America. He began to do washing for neighbors until by dint of a life in which there was nothing but the washing of clothes he managed to accumulate by the time he was seventeen almost enough money to pay his steerage passage to New York. The Great War caught and held him for a year; but he was so slight of body and health that his service was practically that of a noncombatant. Nevertheless the war left him with shaken nerves.

There, however, still intact was that passage money. For another year or two—such was the power of his one dream—he managed to glean enough additional earnings out of his war-impooverished home village to achieve his immigration to New York.

Here he got a job as a laundry helper on the lower east side and worked an average of sixteen hours a day. Ten years of this rewarded him with a saved-up capital of nearly a thousand dollars with which he could realize his next dream, a little laundry of his own.

In those ten years Isadore made few friends, much as he hungered for human relation in his life; simply he had neither the time nor the personality wherewith to cultivate intimacies. Neither, however, had he enemies. Just as even the Great War had passed him over as a noncombatant, so the war of labor racketeering that so often rages in the laundry industry in New York left him unmolested as too insignificant a figure for anyone to bother with.

A little over a year ago he launched on the second voyage of adventure of his life by opening his own laundry at 52 East One Hundred and Thirty-second Street. This is a tenement house in colored Harlem, and all he could afford

was a front room on the ground floor. The two rooms that were ordinarily rented with the store he gave up to an old colored woman who lived alone there and paid him a meagre rent. She was so old that we can eliminate her at once as an interesting factor in the mystery that was to overtake Isadore Fink.

Another thing that literally barred her from any important part in Fink's story was a stout iron bolt which he put on the door between his store and her two rooms.

It was not any feeling against her personally that made him bolt the door; it was fear he felt. It is one of the ironies in meagre lives that the less there is to lose the greater is the fear of losing it. To make ends meet he had to work alone until late each night. The few neighbors and customers with whom Isadore Fink ventured to exchange anything more than matter-of-fact talk knew that he was haunted by the fear that some night his single-room home-and-workshop would be broken into and robbed.

This fear prompted him to protect every possible entrance into his shop. In the rear there was a window opening into a narrow court. This window he kept continuously locked; and on the inside he put up strong bars so close together that even a cat would find difficulty getting through between them.

His main concern was the street door, the only remaining entrance into the place. Over it was a narrow glass transom hardly large enough, were it open, to let a child through. This transom Fink secured firmly by nailing it all around.

The street door itself had already two complicated locks when Fink moved in. He added such another bolt on the inside as was on the door between his shop and the home of the old colored woman.

One wintry night last February, Fink made up a package

of fresh laundry to deliver to a customer, put on his hat and coat and, leaving the store, carefully locked the front door. By the time he got back to his home block it was almost ten. He had worked hard that day, unremittingly, and the thought of going back to his lonely shop to resume his drudgery that night prompted him to take a little respite.

He stepped into a small cigar store across the street from his shop, bought some cigarettes and loitered for a chat with the clerk. Fink seemed to feel in ordinary spirits that night, tired but not noticeably depressed or worried. After a quarter of an hour of commonplace talk he went back to his shop.

The clerk, looking out, saw him cross the street, unlock his front door, lock himself in and pull down the shades on his door and the street window. A few minutes later the cigar clerk decided that Fink must have changed his mind about working any more that night, for he saw the light in his store go out. That was about half-past ten.

It must have been a few minutes later that the old colored woman who lived in back of Fink's store was shocked out of her sleep by hearing three revolver shots in rapid succession in Fink's store. Then she heard what was unmistakably the fall of his body to the floor. Silence followed.

In panic the old woman threw her wrapper over her and ran out into the tenement hall. Opening the street door she yelled, "Police!"

The colored policeman on the beat happened to be near enough to hear her and came running.

"What's the matter, granny?" he asked.

She stammered out what she had heard.

The policeman tried the front door to Fink's store and found it locked. "Any other way to get in there?" he asked the old woman.

"Dey's a door between his shop an' mah bedroom, but it's bolted on his side," she told the policeman.

He ran into her rooms and found the door to Fink's shop as little promising to break through as the front door, so he hurried out into the street. A small crowd was gathering, several boys among them.

"Here, one of you kids, help me," he called to the boys. "I'll give you a lift up to the transom. See if you can get in and open the door for me from the inside."

He had some difficulty in getting a boy small enough in body and stout enough in spirit to volunteer for the job. A tough little colored newsboy climbed up with the policeman's help and tried to open the transom over the door. It resisted the banging of his fists and elbows. The policeman reached up his club and the youngster, taking it, smashed away the glass pane.

Then squeezing through the transom frame the boy dropped into the dark store. The policeman could hear him feeling for the locks and the bolt as quickly as he could find them; and in less than a minute the boy had the door open and scuttled out into the street. He didn't know what was in that dark room but did not care to stay alone there even long enough to glance behind.

The policeman went into the store, groped about for the lights and turned them on.

On the floor near the back of his shop lay Fink, blood still slowly coming out of two bullet wounds in his head and one in his hand. The policeman knelt and put his hand over Fink's heart. The body was still warm but life was gone.

The policeman looked up at the frightened faces pressing in about the doorway.

"He's bumped himself off," he announced. "Somebody go 'phone the station." There was no telephone in the laundry.

While several excited volunteers notified the East One Hundred and Twenty-sixth Street police station the patrolman in the shop glanced about for the revolver that had caused the death.

His casual first glance showed no revolver in sight. The policeman looked under the body. Then he looked further; under the nearby furniture; behind the hanging that separated the shop from Fink's improvised bedroom; then in every nook and corner of the laundry.

A sergeant arrived with two detectives. They had already heard from a score of excited messengers and bystanders the policeman's simple verdict of the tragedy.

"Where's the gun, Pete?" the sergeant asked the policeman.

The other was standing in the middle of the shop, his coat and hat off, the knees of his trousers dusty, a sheepish look on his face.

"Sarge," he said apologetically, "I've gone over this place on all fours twice over. Maybe I'm blind, Sarge, or dumb, or something. Because I haven't been able to find the gun."

"All right, boys," the sergeant said to the detectives with him. "Let's hunt for the gun. It just can't be far away."

The four trained policemen ransacked Isadore Fink's one-room home for half an hour. By that time the coroner had arrived.

"I should judge he did it with a .38," the coroner said. "Let's look at the gun."

The four officers of the metropolitan police looked uncomfortable.

"Believe it or not, doctor," said the sergeant, "but the four of us have been over this place for half an hour with a fine-toothed comb, and we can't find any sign of a gun."

"That's funny," the coroner said. "But let's take another look at the body. Is this the way you found it, officer?" he asked Officer Pete.

"Yes, sir."

The coroner examined the revolver wounds for powder and other indications of the spot from which the shots had been fired. His conclusions were that the shooting took place about two feet from the body and at about the levels of the three wounds.

"Gentlemen," he announced to the police, "from the looks of the wounds I am forced to decide that this man could not have held the revolver that killed him."

"And," a detective said, "since we haven't been able to find the gun that did it, it looks as if someone had taken it away."

"Impossible!" objected Officer Pete. "The kid I hoisted through the transom scooted out of the store the moment he got the door open but he hasn't been out of my sight since. And as soon as I saw there was no gun in sight I searched him."

The youngster was there, anxiously bearing out what the policeman said. "What do Ah wan' wiv a daid man's gun?" he protested.

We may eliminate him, as the police did, from any share in the mystery, which by now resolved into a hunt for a possible murderer of the inoffensive little laundryman.

The door to the colored woman's rooms was examined minutely. The bolt on the laundry side of the door was rusted fast in its place. An old spiderweb spanned the crack between the lintel and the top of the door.

The window opening on the court was locked on the catch, on the inside, of course. Dust had caked about the

sash grooves showing that the window had not been opened for weeks at least. Every one of the closely spaced bars over it was in place.

The transom, as we have seen, had had to be smashed in and the sash was found nailed in as Fink had seen to it when he first moved in.

Officer Pete, the small boy he had hoisted through the transom and several of the first-comers of the crowd on the street all testified to the fact that the front door had been locked on the inside. And, as I have pointed out, there was no other window, door or opening into the place larger than a two inch rathole in one corner of the room.

For twenty-four hours a corps of detectives went over every inch of the one-room laundry for signs of a revolver, for trap-doors or secret panels.

The most expert finger-print men in New York's Police Department worked on the place and aside from the prints left by the first of the searching party the only finger-prints found were those of Fink himself.

For over a month a bewildered squad of picked sleuths from Headquarters worked on the mystery of Isadore Fink's death. At first they worked with zest; then irritably; finally in complete bewilderment.

At the time of this writing, about a year after Isadore Fink passed into the unexplored bourne beyond life, the police know no more of the manner of his passing than they did when Policeman Pete first entered his dark store. And here we are compelled to leave the mystery with perhaps some such comment as one of the detectives on the case made.

"That damn two-for-a-cent Yid mystery," he said, "gives me the creeps!"

Mr. Ben Hecht was not content to leave the case with any such comment. Instead he fashioned from it The Mystery of the Fabulous Laundryman, placing the narration in the mouth of a newspaperman strangely reminiscent of the publicist Richard Maney. The locked-room addict will find his solution of the problem disappointing, to speak politely; but the most jaded reader will be startled to learn the true identity of the insignificant little laundryman. The story is to be found in Hecht's Actor's Blood (New York, Covici, 1936).—A. B.

1933: *THE MURDER OF THE LANCELINS BY
CHRISTINE AND LÉA PAPIN*

THE MURDER IN LE MANS

by Janet Flanner

WHEN, in February 1933, the Papin sisters, cook and housemaid, killed Mme and Mlle Lancelin in the respectable provincial town of Le Mans, a half-dozen hours from Paris, it was not a murder but a revolution. It was only a minor revolution—minor enough to be fought in a front hall by four females, two on a side. The rebels won with horrible handiness. The lamentable Lancelin forces were literally scattered over a distance of ten bloody feet, or from the upper landing halfway down the stairs. The physical were the most chilling details, the conquered the only dull elements in a fiery, fantastic struggle that should have remained inside Christine Papin's head and which, when it touched earth, unfortunately broke into paranoiac poetry and one of the most graceless murders in French annals.

On the day he was to be made a widower, M. Lancelin, retired lawyer, spent his afternoon at his respectable provincial club; at 6:45 he reported to his brother-in-law, M. Renard, practicing lawyer at whose table they were to dine at 7 *en famille*, that, having gone by the Lancelin home in the Rue La Bruyère to pick up his wife and daughter Geneviève, he had found the doors bolted and the windows dark—except for the maids' room in the attic, where, until he

started knocking, there was a feeble glow. It had appeared again only as he was leaving.

Two lawyers this time set off for the Lancelin dwelling, to observe again the mansard gleam fade, again creep back to life as the men retreated. Alarmed (for at the least a good dinner was drying up), the gentlemen procured a brace of policemen and a brigadier, who, by forcing Lancelin's window, invited Lancelin to walk into his parlor, where he discovered his electric lights did not work. Two of the police crept upstairs with one flashlight and the brother-in-law. Close to the second floor the trio humanely warned the husband not to follow.

On the third step from the landing, all alone, staring uniquely at the ceiling, lay an eye. On the landing itself the Lancelin ladies lay, at odd angles and with heads like blood puddings. Beneath their provincial petticoats their modest limbs had been knife-notched the way a fancy French baker notches his finer long loaves. Their fingernails had been uprooted, one of Geneviève's teeth was pegged in her own scalp. A second single orb—the mother's, this time, for both generations seemed to have been treated with ferocious non-partisanship—rested shortsightedly gazing at nothing in the corner of the hall. Blood had softened the carpet till it was like an elastic red moss.

The youngest and third policeman (his name was Mr. Truth) was sent creeping toward the attic. Beneath the door a crack of light flickered. When he crashed the door, the light proved to be a candle, set on a plate so as not to drip, for the Papins were well-trained servants. The girls were in one bed in two blue kimonos. They had taken off their dresses which were stained. They had cleaned their hands and faces. They had, the police later discovered, also cleaned the carving knife, hammer, and pewter pitcher

which they had been using and put them neatly back where they belonged—though the pitcher was by now too battered to look tidy. Christine, the elder (Léa, the younger, was never after to speak intelligibly except once at the trial), did not confess; she merely made their mutual statement: they had done it. Truth took what was left of the candle—the short-circuiting electric iron had blown out the fuse again that afternoon and was at the bottom of everything. Christine kept saying, though the sensible Truth paid no attention—and lighted the girls downstairs, over the corpses, and out to the police station. They were still in their blue kimonos and in the February air their hair was wild, though ordinarily they were the tidiest pair of domestics in Le Mans.

Through a typographical error the early French press reports printed the girls' name not as Papin which means nothing, but as Lapin which means rabbit. It was no libel.

Waiting trial in the prison, Christine, who was 28 years of age and the cathartic of the two, had extraordinary holy visions and unholy reactions. Léa, who was 22 and looked enough like her sister to be a too-long-delayed twin, had nothing, since the girls were kept separate and Léa thus had no dosage for her feeble brain.

Their trial at the local courthouse six months later was a national event, regulated by guards with bayonets, ladies with lorgnettes, and envoys from the Parisian press. As commentators *Paris-Soir* sent a pair of novelists, the Tharaud brothers, Jean and Jérôme, who, when they stoop to journalism, write of themselves as "I" and nearly even won the Goncourt Prize under this singular consolidation. Special scribes were posthasted by *Détective*, hebdomadal penny dreadful prosperously owned by the *Nouvelle Revue Française*, or France's *Atlantic Monthly*. *L'Œuvre*, as daily

house organ for the Radical-Socialist Party (supposedly friendly to the working classes till they unfortunately shot a few of them in the Concorde riot), sent Bérard, or their best brain.

The diametric pleas of prosecution and defense facing these historians were clear: either (*a*) the Papins were normal girls who had murdered without a reason, murdering without reason apparently being a proof of normalcy in Le Mans, or else (*b*) the Rabbit sisters were as mad as March Hares, and so didn't have to have a reason. Though they claimed to have one just like anybody else, if the jury would only listen: their reason was that unreliable electric iron, or a mediocre cause for a revolution. . . . The iron had blown out on Wednesday, been repaired Thursday, blown again Friday, taking the houselights with it at 5. By 6 the Lancelin ladies, in from their walk, had been done to death in the dark—for the dead do not scold.

While alive, Madame had once forced Léa to her housemaid knees to retrieve a morsel of paper overlooked on the parlor rug. Or, as the Tharauds ponderously wrote in their recapitulation of the crime, "God knows the Madame Lancelins exist on earth." This one, however, had been rare in that she corroborated Léa's dusting by donning a pair of white gloves, she commentated on Christine's omelettes by formal notes delivered to the kitchen by Geneviève—both habits adding to the Papins' persecution complex, or their least interesting facet. Madame also gave the girls enough to eat and "even allowed them to have heat in their attic bedroom," though Christine did not know if Madame was kind, since in six years' service she had never spoken to them, and if people don't talk, how can you tell? As for the motive for their crime, it was again the Tharauds who, all on the girls' side, thus loyally made it clear

as mud: "As good servants the girls had been highly contraried" when the iron blew once. Twice "it was still as jewels of servants who don't like to lose their time that they became irritated. Perhaps if the sisters had been less scrupulous as domestics the horror which followed would never have taken place. And I wish to say," added Jean and Jérôme, without logic and in unison, "that many people still belong to early periods of society."

Among others, the jury did. They were twelve good men and true, or quite incompetent to appreciate the Papin sisters. Also, the trial lasted only twenty-six hours, or not long enough to go into the girls' mental rating though the next forty or fifty years of their lives depended on it. The prosecution summoned three local insane-asylum experts who had seen the girls twice for a half-hour, and swore on the stand that the *prisonnières* were "of unstained heredity"—i.e., their father having been a dipsomaniac who violated their elder sister, since become a nun; their mother having been an hysteric "crazy for money"; a cousin having died in a madhouse, and an uncle having hanged himself "because his life was without joy." In other words, heredity O.K., legal responsibility 100%.

Owing to the girls' weak, if distinguished, defense—high-priced French lawyers work cheaply for criminals if bloody enough, the publicity being a fortune in itself—their equally distinguished psychiatrist's refutation carried no weight. Their lawyer was Pierre Chautemps, cousin to that Camille Chautemps who, as Prime Minister, so weakly defended the French Republic in the 1933 Boulevard Saint-Germain riots; their expert was the brilliant Parisian professor, Logre, whose "colossal doubt on their sanity" failed to count since under cross examination he had to admit he had never seen the girls before even for five minutes; just

knew all about them by sitting back in his Paris study, ruminating. He did, too, but the jury sniffed at the stuck-up city man.

Thus, they also missed Logre's illuminating and delicate allusion to the girls as a "psychological couple," though they'd understood the insane-asylum chief's broader reference to Sappho. Of paramount interest to twelve good men and true, the girls' incest was really one of the slighter details of their dubious domesticity. On the jury's ears Christine's prison visions also fell flat. Indeed it was not until six months after she was sentenced to be beheaded that these hallucinations were appreciated for their literary value in a scholarly essay entitled "*Motifs du Crime Paranoïaque: ou Le Crime des Soeurs Papins*," by Docteur Jacques Lacan, in a notable surrealist number of the intelligentsia quarterly, *Minotaure*.

In court, however, Christine's poetic visions were passed over as a willful concoction of taradiddles that took in no one—except the defense, of course. Yet they had, in the limited data of lyrical paranoia and modern psychiatry, constituted an exceptional performance. Certain of the insane enjoy strange compensations; having lost sight of reality they see singular substitutes devoid of banal sequence, and before the rare spectacle of effect without cause are pushed to profound questions the rest of us are too sensible to bother with. "Where was I before I was in the belly of my mother?" Christine first inquired, and the fit was on. She next wished to know where the Lancelin ladies might now be, for, though dead, could they not have come back in other bodies? For a cook she showed, as the Tharauds said, "a bizarre interest in metempsychoses," further illuminated by her melancholy reflection, "Sometimes I think in former lives that I was my sister's husband." Then while the prison

dormitory shuddered, Christine claimed to see that unholy bride hanging hanged to an apple tree, with her limbs and the tree's limbs broken. At the sad sight Crazy Christine leapt in the air to the top of a ten-foot barred window where she maintained herself with muscular ease. It was then that Léa, whom she had not seen since their incarceration six months before, was called in as a sedative. And to her Christine cried with strange exultation, "Say yes, say yes," which nobody understands to this day. By what chance did this Sarthe peasant fall like the Irish Joyce in the last line of *Ulysses* on the two richest words in any tongue—those of human affirmation, *Yes, yes*. . . .

Thus ended the lyrical phase of Christine's seizure, which then became, maybe, political. At any rate she hunger-struck for three days, like someone with a cause, went into the silence, wept and prayed like a leader betrayed, traced holy signs with her tongue on the prison walls, tried to take Léa's guilt on her shoulders, and, when this failed, at least succeeded in freeing her own of her strait jacket.

"Wasn't all of that just make-believe?" the prison officials later asked her. (All except escaping from the strait jacket, of course, or a reality that had never occurred in French penal history before.) "If monsieur wishes," said Christine politely. Both the girls were very polite in prison and addressed their keepers in the formal third person, as if the guards were company who had just stepped in to the Lancelin's parlor for tea.

During the entire court proceeding, report on visions, vices, and all, from 1:30 after lunch of one day to 3:30 before breakfast of the next, Christine sat on the accused bench with eyes closed. She looked like someone asleep or a medium in a trance, except that she rose when addressed and blindly said nearly nothing. The judge, a kind man

with ferocious mustaches, was, in his interrogation, finally forced to examine his own conscience, since he couldn't get Christine to talk about hers.

"When you were reprimanded in your kitchen, you never answered back but you rattled your stove-lids fiercely; I ask myself if this was not sinful pride. . . . Yet you rightly think work is no disgrace. No, you also have no class hatred," he said with relief to find that he and she were neither Bolsheviks. "Nor were you influenced by literature, apparently, since only books of piety were found in your room."

(Not that printed piety had taught the girls any Christian mercy once they started to kill. The demi-blinding of the Lancelins is the only criminal case on record where eyeballs were removed from the living head without practice of any instrument except the human finger. The duplicating of the tortures was also curiously cruel; Christine took Madame in charge, the dull Léa followed suit by tending to Mademoiselle; whatever the older sister did to the older woman, the younger sister repeated on fresher flesh in an orgy of obedience.)

As the trial proceeded, the spectators could have thought the court was judging one Papin cadaver seen double, so much the sisters looked alike and dead. Their sanity expert had called them Siamese souls. The Papins' was the pain of being two where some mysterious unity had been originally intended; between them was a schism which the dominant, devilish Christine had tried to resolve into one self-reflection, without ever having heard of Narcissus or thinking that the pallid Léa might thus be lost to view. For, if Christine's eyes were closed to the judge, Léa's were as empty in gaze as if she were invisible and incapable of sight. Her one comment on trial for her life was that, with

the paring knife, she had "made little carvings" in poor spinster Geneviève's thighs. For there, as her Christine had said, lay the secret of life. . . .

When the jury came in with their verdict Christine was waiting for them, still somnambulant, her hands clasped not as in prayer but as if pointing down into the earth. In the chill predawn both sisters' coat collars were turned up as if they had just come in from some domestic errand run in the rain. With their first effort at concentration on Léa, whom all day the jury had tried to ignore, the foreman gave her ten years' confinement and twenty of municipal exile. Christine was sentenced to have her head cut off in the public square of Le Mans which, since females are no longer guillotined, meant life—a courtesy she, at the moment, was ignorant of.

When Christine heard her sentence of decapitation, in true belief she fell to her knees. At last she had heard the voice of God.

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